

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Monday, 11 November 2019

Present: Councillor Ludford (Chair)

Councillors: Evans and Lynch

LACHP/20/106. Urgent Business

The Chair agreed to the submission of the following items of urgent business, for which agreement had subsequently been reached with the Responsible Authorities and could therefore be treated as a determination:

- Hillary Step, 199 Upper Chorlton Road, Manchester;
- The Shack, 69 High Street, Manchester;
- Variation of Premises Licence - ASDA, Swan Walk, Wythenshawe Civic Centre.

LACHP/20/107. Application for a New Premises License: Ground Floor and Roof Terrace, Ground Floor & Roof Terrace, Blackfriars House, Parsonage, M3 2JA

Consideration was given to an application for a new Premises Licence for a premises at Ground Floor Roof Terrace, Blackfriars House, Parsonage Manchester

On hearing representations from the Applicant's solicitor, the Committee was satisfied that the premises would be capable of upholding the licensing objectives.

It noted that there had been considerable discussion with the objectors and that a significant number of conditions had been proposed and agreed by the Applicant to alleviate concerns that the licensing objectives would not be upheld. This position was confirmed by the LOOH representative at the hearing.

In arriving at its decision the Committee took into account the licensing objectives, Licensing Act 2003, s182 guidance and MCC's Licensing Policy.

Decision

Grant application subject to the following:-

The hours for licensable activities on the ground floor:

1100 to 2300 Daily.

Save for late night refreshment the hours for licensable activities in the internal roof area:

Monday to Saturday 1100 to 0000

Sundays and Bank Holidays 1100 to 2300

The hours for licensable activities for the external roof terrace:

1100 to 2300 Daily

Late Night Refreshment (internal roof restaurant only):

Monday to Saturday 2300 to 0030

Sunday and Bank Holidays 2300 to 2330

And subject to the following amended operating schedule:-

A) The Prevention of Crime and Disorder

1. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.
2. Recorded CCTV images will be maintained and stored for a period of thirty-one days and shall be produced to the Police or Licensing Authority upon request.
3. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
4. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
5. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment, to be carried out by the DPS. When employed, door staff will wear high visibility armbands.
6. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - (i) the number of door staff on duty;
 - (ii) the identity of each member of door staff;
 - (iii) the times the door staff are on duty.
7. Notices will be positioned at the public exits to the premises advising customers that open containers of alcohol should not be removed from the premises, save for consumption on the external roof terrace.
8. Staff will be trained in the requirements of the Licensing Act 2003 with regard to the Licensing Objectives, the laws relating to under age sales and the laws relating to the sale of alcohol to intoxicated persons.
9. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.

B) Public Safety

1. A first aid box will be available at the premises at all times.
2. Regular safety checks shall be carried out by staff.
3. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
4. The premises shall maintain an Incident Log and public liability insurance.

C) The Prevention of Public Nuisance

1. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
3. The premises licence holder will incorporate the acoustic recommendations contained in the Noise Impact Assessment report prepared by DBx Acoustics dated 8th October 2019.
4. Other than for purposes of maintenance the small external balcony fronting the parsonage will be inaccessible to members of the public.
5. All deliveries and the emptying of bins into skips and refuse collections will not take place between 2000 and 0800 Monday to Saturday and 1800 and 1000 Sunday and Bank Holidays.
6. The collection of glass will only take place between 0930 and 1100 daily.
7. Notices will be positioned at the public exits to the premises requesting customers to leave in a quiet manner.
8. Doors and windows are to remain closed after 2300 whenever regulated entertainment is taking place, save for access and egress.
9. The exterior of the premises shall be cleared of litter at regular intervals.
10. A scheme of extraction will be incorporated into the development which will ensure the elimination of a nuisance caused by food odours.
11. Residents at the Edge and Century Buildings will be supplied with a direct contact telephone number should it be necessary to register and complaints.
12. The operator will be available to attend a meeting with residents upon request.
13. Admission to any externally promoted events will be by invitation or ticket only.
14. There will be no live or recorded music in the external licensed area of the roof terrace.

15. A door host will be located within the ground floor entrance to the restaurant from 6pm daily until close.

D) The Protection of Children from Harm

1. A "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram.

2. Staff will have training which will include the Challenge 21 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18.

3. Notices advising what forms of ID are acceptable must be displayed.

4. Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.

Reasons

On hearing representations from the Applicant's solicitor, the Committee was satisfied that the premises would be capable of upholding the licensing objectives.

It noted that there had been considerable discussion with the objectors and that a significant number of conditions had been proposed and agreed by the Applicant to alleviate concerns that the licensing objectives would not be upheld. This position was confirmed by the LOOH representative at the hearing.

In arriving at its decision the Committee took into account the licensing objectives, Licensing Act 2003, s182 guidance and MCC's Licensing Policy.

LACHP/20/108. Application for a New Premises License: Angela Mason Hair Extensions, 218 Burton Road, Manchester, M20 2LW

The Committee noted that the application was agreed by all parties prior to the meeting and was therefore treated as a determination.

In reaching its decision the Committee 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.

Decision

To grant the application.

LACHP/20/109. Application for a New Premises License: The Epicurean, 102 Manchester Road, Chorlton, Manchester M21 9PG

The Committee considered an application for a new Premises Licence. The Panel was informed that the Applicant and objector were not in attendance and after confirmation that notice of the hearing had been given to both parties the Panel decided to proceed with the hearing in absence.

In considering the application, the Panel was satisfied that the Applicant was capable of upholding the licensing objectives.

In reaching its decision the Committee 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.

Decision

To grant the application for a new premises licence for The Epicurean, 102 Manchester Road, Chorlton, Manchester.

LACHP/20/110. Determination: Victoria Tap, 2 Todd Street, Manchester, M3 1WY

The Committee considered an application for a new premises licence.

This application was agreed by all parties prior to the hearing, subject to the agreed conditions and therefore treated as a determination.

In reaching its decision the Committee 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.

Decision

To grant the application.

LACHP/20/111. Determination - ASDA, Swan Walk, Wythenshawe Civic Centre

The Committee considered an application for a new premises licence.

This application was agreed by all parties prior to the hearing, subject to the agreed conditions and therefore treated as a determination.

In reaching its decision the Committee 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.

Decision

To grant the application.

LACHP/20/112. Determination - Hillary Step, 199 Upper Chorlton Road

The Committee considered an application for a new premises licence.

This application was agreed by all parties prior to the hearing, subject to the agreed conditions and therefore treated as a determination.

In reaching its decision the Committee 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.

Decision

To grant the application.

LACHP/20/113. Determination - The Shack, 69 High Street

The Committee considered an application for a new premises licence.

This application was agreed by all parties prior to the hearing, subject to the agreed conditions and therefore treated as a determination.

In reaching its decision the Committee 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.

Decision

To grant the application.