

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Monday, 16 March 2020

Councillors: Andrews, Lynch and Hassan

LACHP/20/35. Urgent Business

The Hearing Panel agreed to take one item of Urgent Business:

Application for a New Premises Licence - Apna Lahori Kebabish, 150-152 Cheetham Hill Road, Manchester, M8 8PZ - determination

LACHP/20/36. Premises Licence Variation - Panama Hatty's Restaurant & Bar, 43a Brown Street, Manchester, M2 2JJ - determination

The Hearing Panel 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 Panel 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 premises licence variation.

LACHP/20/37. Premises Licence Variation - Eva, 27 Sackville Street, Manchester, M1 3LZ

Consideration was given to a report of the Director of Planning, Building Control and Licensing regarding an application for a Premises Licence Variation.

The application was requesting to extend the current licensable activities (regulated entertainment, late night refreshment and supply of alcohol) permitted on the premises during Sunday to Thursday from 03:00 to 05:00.

The Hearing Panel considered the written and oral representations of all parties present at the hearing.

The applicant addressed the Hearing Panel and explained that they had agreed conditions raised by GMP regarding door staff and continued to allay any concerns regarding noise, stating that they have a noise limiter in place on the sound system and that they would not be using the upper floor after 22:30 in the week as this floor was closest to the residential area of the building. The applicant stated that they had offered to meet with residents of the building, that other premises in the Gay Village

have licences allowing them to operate until 05:00 and that they had operated until 05:00 throughout November 2019 with Temporary Event Notices without any incidents or complaints.

A LOOH officer addressed the Hearing Panel and explained that they were aware of other premises operating until 05:00 in the Gay Village but confirmed that they did not have residents in the same building.

Two objectors addressed the Hearing Panel to explain their circumstances as residents of the building and stated that the shared building was old and not properly sound-proofed resulting in noise travelling through the walls and people outside on the street being clearly heard at all hours, stating that it would add to these disturbances if this business were allowed to operate until 05:00.

In their deliberations, the Hearing Panel felt that the residents of the shared building were being subjected to late night disturbances already and that to allow this variation would add to their disturbance and, therefore felt it necessary to refuse the application.

Decision

To refuse the application for a premises licence variation.

LACHP/20/38. New Premises Licence - Apna Lahori Kebabish,150-152 Cheetham Hill Road, Manchester, M8 8PZ - determination

The Hearing Panel 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 Panel 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.