

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Monday, 11 May 2020

Councillors: Grimshaw, Andrews and Lynch

LACHP/20/45. New Premises Licence - Cabana Bar and Grill - 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 new premises licence.

LACHP/20/46. Premises Licence Variation - The New Union Hotel, Princess Street, Manchester, M1 6JB

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

The Hearing Panel considered the written papers, oral representations of all parties as well as the relevant legislation. The Hearing Panel noted that the premises is situated in a busy part of the city with a vibrant night time economy however it is also an area with a high crime rate in part due to the night time economy.

The Hearing Panel noted that there had been previous incidents at the premises within the last 12 months however, the Hearing Panel accepted that these incidents were minor and that the premises were well managed.

The Applicant informed the Panel that the intention behind the application was to retain existing customers past 04:00 and that it was not the premises intention to attract new customers during the requested extra hours. It was explained further by the premises Licence Holder that the benefit of this to the locality was that it would stagger the closing time as a nearby venue with a capacity of 600 also closed at 04:00 resulting, in occasion, on 1000 patrons exiting two premises within close proximity and at the same time.

The Premises Licence holder went on to state that the premises is sometimes quiet at 03:30 and would ideally attract some new customers after 04:00. Therefore, taking this into account, the Hearing Panel considered it appropriate to introduce a last entry

time of 04:30 to allow patrons to make their way to the premises once other premises had closed at 04:00, but would prevent the premises from becoming a late night destination for patrons who had been drinking elsewhere in the city.

The Applicant informed the Hearing Panel that dispersal procedures would be changed if the variation was granted so that there would be two exits each manned by door supervisors. The Hearing Panel was told by Licensing Out Of Hours that the Responsible Authorities had not had sight of a documented dispersal policy. The Hearing Panel considered that given the locality and the busy nature of the premises that a documented policy was required in order to ensure the prevention of public nuisance.

Decision

To grant the application for variation of hours with the following conditions:-

1. There shall be no admittance of new customers to the premises after 04:30
2. There shall be a documented dispersal policy implemented at the premises, this policy is to be agreed by Licensing Out Of Hours and GMP

LACHP/20/47. New Premises Licence - TBC, 23 Shudehill, Manchester, M4 2AF

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

The Hearing Panel considered the written papers, oral representations of all parties as well as the relevant legislation.

The Hearing Panel was informed that the premises is currently operating as a newsagent and that the applicant's husband had previously submitted three applications for off sales of alcohol in relation to these premises, two of which had been refused and a third had been withdrawn. The Hearing Panel was told that whilst the applicant's husband managed the premises in July 2018, officers found persons drinking on the premises and a substantial amount of alcohol was found. The Hearing Panel was informed by the applicant that the applicant's husband would not be involved in managing the premises as they were now involved in an unrelated business and that the applicant would have management control of the premises should a licence be granted.

During discussions the Hearing Panel became very concerned about the applicant's lack of knowledge and experience in managing a licensed premises. In particular the Hearing Panel were concerned that the applicant was not able to provide details of how they intended to manage the transition of the premises at 17:00 from a coffee shop into a licensed sports bar.

During further discussions the applicant was unable to describe to the Hearing Panel what method of training they had received and therefore what training would be offered to staff. The applicant stated that they had experience of running a premises

in another country but was unable to satisfy the Hearing Panel of any understanding on how to operate a premises in Manchester.

Ultimately, the Hearing Panel could not be certain of the applicant's ability in operating a premises whilst complying with the Licensing Act 2003 and in a way which upheld the Licensing Objectives. The Hearing Panel therefore considered it necessary and appropriate to refuse the application.

Decision

To refuse the application for a new premises licence.

LACHP/20/48. New Premises Licence - Northenden Social Club, 412 Palatine Road, Manchester, M22 4JT

One of the members of the Hearing Panel declared an interest in the item and was not able to participate. Due to the declaration of an interest in the item leaving only two Hearing Panel members the hearing could not be held at this time and the item was deferred.

Decision

To defer the hearing for a future Hearing Panel to consider.