

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Monday, 22 June 2020

Councillors: Grimshaw, Lynch and Lyons

LACHP/20/62. Urgent Business

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

New Premises Licence - Northern Eudaimonia, 6 New Union Street, Manchester, M4 6FQ - determination

LACHP/20/63. New Premises Licence - Waffle Run, Unit 36, Longsight Business Park, Hamilton Road, Manchester, M13 0PD - 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 licence.

LACHP/20/64. New Premises Licence - Hampton By Hilton Manchester North Quarter Hotel, 41 Rochdale Road, Manchester, M4 4HT - 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 licence.

LACHP/20/65. New Premises Licence - Topkapi Palace Restaurant, 205 Deansgate, Manchester, M3 3NW - 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 licence.

LACHP/20/66. Review of a Premises Licence - European Mini Market, 762 Stockport Road, Manchester, M12 4GD

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

The review application had been submitted by the Licensing Out of Hours team (LOOH) on the grounds that the Premises Licence Holder had failed to uphold licensing objectives.

The Premises Licence Holder/respondent did not attend the hearing and the Hearing Panel were informed by a Licensing Officer that the respondent had had sufficient preliminary contact and had opted not to be present for the hearing. Taking this into consideration, the Hearing Panel wished to proceed with the hearing in the respondent's absence.

A LOOH officer informed the Hearing Panel that they had received a complaint from the Trading Standards service of illicit goods sales on the premises. LOOH made an inspection and found multiple breaches of the licence and questioned a person on the premises who claimed to be the new licence holder. On further inspection LOOH discovered that this person was not the premises licence holder and that this person had given false details to LOOH.

LOOH then tracked this person to another premises where their licence had been revoked due to illicit goods being sold. Following this discovery, LOOH then made a visit to the premises and found a large quantity of illicit goods on site.

Further inspection by LOOH revealed that this person was not the Premises Licence Holder. The Premises Licence Holder on record was contacted and they stated that they had signed over the business in April 2019 and supplied a document as proof. This document was dismissed as not credible by the Hearing Panel.

In their considerations, the Hearing Panel took note that both the Premises Licence Holder and the person who was stated as taking over the licence had been non responsive and obstructive in assisting LOOH with their enquiries. There was a link to another premises where illicit sales had occurred and this now appeared to be a pattern due to the considerable seizure of further illicit goods at the premises in question. The Hearing Panel felt that the licensing objectives were being ignored at the premises and considered there to be serious issues relating to criminal activity and public health and safety concerns.

Decision

To revoke the Premises Licence and remove the Licence Holder.

LACHP/20/67. New Premises Licence - Northern Eudaimonia, 6 New Union Street, Manchester, M4 6FQ - 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 licence.