

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Monday, 5 October 2020

Councillors: Grimshaw, Hewitson and T Judge

LACHP/20/110. Urgent Business

The Hearing Panel agreed to take the following Item as Urgent Business:

Summary Review of Premises Licence – The Valley (AKA The Vine), Glendower Drive, Manchester, M40 7TD

LACHP/20/111. Summary Review of Premises Licence - Queens Arms, 6 Honey Street, Manchester, M8 8RG

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

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

A GMP spokesperson addressed the Hearing Panel and referred to information in the earlier report submitted at the Interim Steps hearing, stating that a serious violent attack had occurred on the night in question with one male being admitted to hospital as a result with life threatening injuries. GMP stated that the incident had happened after closing time, during Coronavirus restrictions, that GMP had been alerted to the incident by the hospital and not by any member of staff at the premises, that there was no CCTV to refer to as the premises did not have a working system and that the named DPS had attempted to transfer his licence to another person in 2019 who had not completed the process, leaving him as the DPS without his knowledge. This person had confirmed at the Interim Steps hearing that they had no interest in remaining the DPS of the premises and GMP confirmed that they sought revocation of the licence.

In their deliberations, the Hearing Panel agreed with GMP's recommendation and revoked the licence.

Decision

To revoke the licence and keep in place the interim step of suspension of the licence on the grounds of the prevention of crime and disorder and public safety.

LACHP/20/112. New Premises Licence - Cafe Blah, 418 Wilmslow Road, Manchester, M20 3BW

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.

A Premises Licensing Officer gave some context to the application stating that there had been objections from residents, GMP and Trading Standards and that the premises is situated within the Cumulative Impact Policy (CIP) zone.

The applicants addressed the Hearing Panel and stated that they were new owners of the café/bar and gallery, that they have met with a good response from local people and that they are fully aware that they operate within the CIP zone. The applicants confirmed that they would close alcohol sales at 23:30, have worked with objectors to reach agreements, made improvements to the premises themselves with a bin shelter, shutters and CCTV and have experience of holding 10 other alcohol licences.

A Trading Standards representative asked the applicants if they were aware of their representations with a request for additional conditions and the applicants confirmed that they had everything in place to meet the conditions and would agree to have them included on the licence.

GMP stated that the application was more acceptable with the added conditions and felt that the premises would add positively to the CIP zone.

In their deliberations that Hearing Panel felt that the applicants fully understood the nature of the CIP zone and were working to add something new to the area, were aware of the licensing objectives and, with the confirmed agreement with Trading Standards, the Hearing Panel were positive that they could issue the licence.

Decision

To grant the licence subject to agreed conditions with all responsible authorities.

LACHP/20/113. New Premises Licence - Premier One Stop, 366-368 Moston Lane, Manchester, M40 9JS

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 Premises Licensing officer gave context to the application stating that there had been objections from Trading Standards and four residents.

The applicant's agent addressed the Hearing Panel and stated that the applicant had experience of running off licence premises for 18 years across Greater Manchester. The agent went on to explain that the area had previously had a large number of licensed premises but this had fallen by half and that they had confirmed a closing time of 22:00. The agent also explained that the Government had deemed off licenses as key providers during the Coronavirus lockdown period and that no

objections had been received from either GMP or LOOH. The agent concluded by stating that all the objectors live over one mile away from the premises and that they found Trading Standards conditions to be reasonable and would attach them to the licence.

A Local Ward Councillor and resident voiced their concerns over anti-social behaviour already prevalent in the area and the issue of littering that they felt would increase with the opening of this premises.

The agent confirmed that the applicant has always maintained a good reputation, keeping other premises free of youths congregating outside and also stated that they were happy to add a litter picking condition to the licence.

In their deliberations, the Hearing Panel felt that the licence could be granted subject to agreed conditions previous to, and during the hearing.

Decision

To grant the licence subject to agreed conditions with all responsible authorities.

LACHP/20/114. New Premises Licence - U Marlenki, 295 Palatine Road, Manchester, M22 4HH - 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/20/115. Premises Licence Variation - Terrace, 43 Thomas Street, Manchester, M4 1NA - 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/20/116. New Premises Licence - Arts and Humanities Building MMU, Cavendish Street, Manchester - 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/20/117. New Premises Licence - MMU, Ormond Building, Lower Ormond Street, Hulme, Manchester, M15 6BX - 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/20/118. Premises Licence Variation - NQ64, 23 Peter Street, Manchester, M2 5QJ - 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/20/119. Urgent Business - Summary Review of Premises Licence - The Valley (AKA The Vine), Glendower Drive, Manchester, M40 7TD

This item was added to the proceedings as late Urgent Business due to the necessity of a hearing being held within 48 hours of the incident.

Consideration was given to the report of the Head of Planning, Building Control and Licensing regarding an Interim Steps hearing for Summary Review of the premises licence at The Valley (AKA The Vine), Glendower Drive, Manchester, M40 7TD.

The summary review was requested by GMP following an incident at the premises which took place on 2 October 2020. The application was made under section 53(B) of the Licensing Act 2003.

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

GMP addressed the Hearing Panel to explain that a very serious criminal incident of violence had taken place at the premises. CCTV footage displayed which showed a gang of males outside the premises who proceeded to break out into a large altercation and smashed a window at the premises. GMP stated that they felt there were serious concerns of reprisals on the premises and requested that the licence was suspended immediately.

In their deliberations the Hearing Panel were aware of the serious incident that occurred from viewing the CCTV footage and felt it necessary to suspend the licence while GMP investigations were ongoing.

Decision

To suspend the licence with immediate effect pending a full Summary Review.