

## **Licensing Sub Committee Hearing Panel**

### **Minutes of the meeting held on Monday, 7 December 2020**

**Councillors:** Andrews, Hughes and Madeleine Monaghan

#### **LACHP/20/145. New premises Licence - Crozier Drinks, Flat 154, Cotton Field Wharf, 4 New Union Street, Manchester, M4 6FS - 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/20/146. New Premises Licence - TBC, 14 Lansdowne Road, Manchester, M8 5SH**

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 applicant's agent addressed the Hearing Panel and explained that the premises were seeking to add alcohol to the licence for both on and off sales from 12:00 to 21:30. A representative from LOOH asked the agent if the provision of alcohol was ancillary to meals/dining and the agent replied that this was not the intention.

The LOOH officer then addressed the Hearing Panel and gave mention of visiting the premises during the November lockdown period and found there to be lights on, people in the café and one male smoking inside the premises, in breach of the Health Act 2006. The LOOH officer stated that having persons in the premises was also in breach of the Coronavirus regulations. On speaking with the manager of the premises they had mentioned not understanding the Coronavirus regulations properly. The LOOH officer stated that there were nearby residences, including upstairs in the same building, and felt that conditions needed to be agreed regarding alcohol being served as ancillary to a seated meal to avoid the premises allowing vertical drinking, litter clearance, keeping doors and windows closed, no congregating outside with a maximum number of smokers allowed at any time and low level music. All of the aforementioned would see the premises operating in line with the licensing objectives, the LOOH officer concluded.

The agent stated that there had been no noise complaints in the five years of the current manager running the premises and the LOOH officer countered that the addition of alcohol is a notable change and that correct measures must be taken.

In their deliberations the Hearing Panel felt that there was too large a potential for the premises to be a vertical drinking establishment without any conditions being attached and saw it necessary to grant the licence subject to the conditions outlined by LOOH and further standard conditions to uphold the licensing objectives.

## **Decision**

To grant the licence subject to conditions proposed by LOOH with modifications.

### Conditions:

1. The supply of alcohol for consumption on the premises shall only be to a person seated taking a table meal and for consumption by such a person as ancillary to their meal. This will apply between the hours of 12:00 and 21:30.
2. The front of the premises must be kept free from litter.
3. No noise shall emanate from the premises to cause a nuisance. The front door must remain closed except for access and egress.
4. Patrons must be dispersed should they congregate outside premises after closure
5. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
6. Suitable smoking receptacles must be provided for cigarette waste.
7. Any recorded music must only be played as low-level ambient background music.

## **LACHP/20/147. New Premises Licence - Witch King's Rum, Unit 2, 23 Radium Street, Manchester, M4 6AY**

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 applicants addressed the Hearing Panel and explained that the business was intended to be open for on and off sales of alcohol with a small seating area outside for customers. The applicants intended to hold small events of no more than eight persons for cocktail making classes and that the operating hours applied for were Monday to Sunday 9:00 to 22:00.

A local objector addressed the Hearing Panel and stated that they felt that the premises' location was unsuitable to allow off sales being in an isolated area. The objector raised that they felt there would be an increase in anti-social behaviour with potential for street drinking.

The applicants sought to allay any concerns of street drinking stating that their products were expensive craft drinks that one would not tend to see being consumed on the streets.

In their deliberations the Hearing Panel felt that the applicants were reputable and were satisfied that conditions had been agreed with responsible authorities.

### **Decision**

To grant the licence subject to conditions agreed with Trading Standards.