

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Monday, 1 February 2021

Present: Councillor Andrews – in the Chair

Councillors: Jeavons and Reid

LACHP/21/5. New Premises Licence - Minute Convenience, Venture Centre, 491 Mill Street, Manchester, M11 2AD - 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 subject to agreed conditions.

LACHP/21/6. New Premises Licence - Dr Miao, 47-49 Bloom Street, Manchester, M1 3LY - 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 subject to agreed conditions.

LACHP/21/7. New Premises Licence - EUR Ltd, Unit 3017, Safestore Ltd, 202-208 Cheetham Hill Road, Manchester, M8 8LW - 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 subject to agreed conditions.

LACHP/21/8.Premises Licence Variation - Shell Didsbury, 761-763 Wilmslow Road, Manchester, M20 8RH

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 applicant's agent addressed the Hearing Panel and explained that the applicants had previously applied for a 24-hour alcohol licence in 2019 which was not granted and sought to confirm that this was an application for a minor change in alcohol trading hours. Currently the premises were trading alcohol from 06:00 until 23:00 with the premises open until 00:00 for late night refreshments and the applicant wished for the sale of alcohol to be extended until the 00:00 closing time. The agent confirmed that agreements had been met with all Responsible Authorities and that many of the objectors appeared to believe that this application was again for a 24-hour alcohol licence. The agent gave mention of concern around street drinking and public nuisance as a result of the extra hour trading alcohol from this premises but again referred to the agreements met with GMP and LOOH who felt that these issues would not arise were the application to be granted. As the premises were already trading until 00:00 the agent expressed that the extra hour of the sale of alcohol would not cause any extra public nuisance. The agent gave some attention to an incident that had occurred in December 2020 whereby some youths had caused a disturbance in Didsbury village and stolen fire extinguishers from the forecourt. The agent confirmed that this was a one off incident and that the premises were as much victim of the incident as the residents and in no way contributed to the disturbance, stating that these individuals had not purchased any goods (alcoholic or otherwise) from the premises. The agent concluded by referring to the good operating standards upheld by the applicants.

A Local Ward Councillor sought confirmation from the agent that this application was not a precursor to the applicants then seeking further late night sales and the agent stated that this was not a "preceding" application whilst not ruling out the possibility of further applications, stating that they would all be assessed on their own merits.

The Local Ward Councillor then addressed the Hearing Panel and confirmed that they were in attendance on behalf of several residents, local groups and other Ward Councillors. The Local Ward Councillor stated that residents were understandably concerned over the recent incident of youths causing a disturbance in the village and that there were further concerns over this application being a precursor to further later licensing requests.

In their deliberations the Hearing Panel concluded that this was a responsible national operator, that the premises could not be traced back as the source of the

incident in December 2020 and that agreements had been met with Responsible Authorities and felt certain that granting the licence was the appropriate decision.

Decision

To grant the licence subject to agreed conditions.