

## Licensing Sub Committee Hearing Panel

### Minutes of the meeting held on Tuesday, 6 April 2021

**Present:** Councillor Andrews – in the Chair

**Councillors:** Grimshaw and Evans

**LACHP/21/22. Urgent Business - New Premises Licence - Wilde  
Aparthotels by Staycity. 3 Dickinson Street, Manchester, M1  
4LF - determination**

The Chair had given consent to the addition of this application as an Item of Urgent Business.

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/21/23. New Premises Licence - TBC, 135 Levenshulme Road,  
Manchester, M18 7NF - 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/21/24. New Premises Licence - The Progress Centre and Car park,  
Charlton Place, Manchester, M12 6HS**

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

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

The applicant's agent addressed the Hearing Panel and stated that this was a new application for the use of the outdoor area at the premises, after having had the initial application granted in 2020. The agent stated that there had been one written objection from a Local Ward Councillor and informed the Hearing Panel of 8 TENs approved and held in 2020 with no complaints.

The Panel considered the written representation as the objector did not attend the hearing. The Hearing Panel made their deliberations and considered that the application should be granted as applied for.

### **Decision**

To grant the licence.

### **LACHP/21/25. New Premises Licence - Dixy Chicken, Unit 1, 5a Wilbraham Road, Manchester, M14 6JS**

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

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

The applicant addressed the Hearing Panel and explained that the premises had been operating since 2008 and were looking to extend trading hours for sit-in dining until 01:00 and from deliveries to extend until 03:00, stating that other nearby premises operate with similar trading hours. The applicant stated that they had drawn up a policy which included CCTV and the availability of recordings to the police, no drunk or anti-social patrons would be tolerated and would be ejected, that training would be given to all staff and records made of all training and that there would be extra staff on duty for late night hours. The agent stated that the premises had received good a Health and Hygiene rating due to their high standards and that staff would closely monitor litter, instructing patrons to dispose of litter properly by use of signs, and would instruct delivery drivers on good behaviour.

The Principal Licensing Officer addressed the Hearing Panel stating that there is a Cumulative Impact Policy (CIP) zone in place where the premises are located to stop negative issues further impacting local residents, that these premises had made a similar application in 2020, that litter from these premises is evident in the area and that there are numerous similar take away style businesses in the area. The Principal Licensing Officer stated that he could not see any exceptional circumstances in this application and invited the Hearing Panel to refuse the application.

A LOOH Officer addressed the Hearing Panel and stated that there had been several other applications for extended hours from this applicant and that their main concern was around noise and disturbance if the licence were to be granted.

Local residents, attending on behalf of resident's associations, addressed the Hearing Panel and explained the ongoing issues with litter, noise, nuisance, late night disturbance and anti-social behaviour in the CIP zone, stating that it took real effort to keep on top of these various issues. The local residents expressed their doubt around the premises not selling goods to drunken patrons in the later hours as this would be their main customer base, finally stating that the CIP is in place to protect local residents from the issues that arise from this style of business.

During questioning the Hearing Panel became concerned about the lack of detail with regard to the training of staff, issues around litter which was already a problem in the area and that a telephone number had been provided to call the premises in light of any issues and that some calls had not been answered.

In their deliberations the Hearing Panel felt that this premises was not offering anything exceptional to the area and therefore, there was no reason to depart from the policy.

### **Decision**

To refuse to grant the licence.

### **LACHP/21/26.      New Premises Licence - Cabrals, 735 Ashton Old Road, Manchester, M11 2HD - 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.