

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Monday, 19 April 2021

Present: Councillor Jeavons – in the Chair

Councillors: Grimshaw and Reid

LACHP/21/27. New Premises Licence - Whalley Range Stadium, Wilbraham Road, Manchester M16 8GW - 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/21/28. New Premises Licence - Be The Bartender, Unit 1C18, Storage World Manchester Central, 40-46 Ashton Old Road, Manchester, M12 6LP - 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/21/29. New Premises Licence - Archies Burgers and Shakes, 6-7 Gateway House, Piccadilly Station Approach, Manchester, M1 2GH - 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/21/30. New Premises Licence - NIAMOS, Chichester Road, Manchester, M15 5EU

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/21/31. Premises Licence Variation - 256, 256 Wilmslow Road, Manchester, M14 6LB

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

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 the applicant had been running the premises since 2017 as a bar/restaurant/venue. The agent stated that the premises had a large beer garden and the applicant proposed the use of glassware for inside and outdoors, applying for the increase in the times to 23:00 for both areas. The agent expressed that this was due to the premises being a largely food led business during lockdown and they wished to continue in this vein and allow customers to drink from wine glasses and branded glassware as it was felt preferable for customers, particularly with a meal. Alongside this was an aim to decrease plastic waste and a financial saving on the cost of plastic and polycarbonate cups. The agent informed the Hearing Panel that there had been no glassware incidents during the applicant's tenure and that there had been no objections from Responsible Authorities, although a Local Ward Councillor and two residents' groups had made representations. The agent expressed that the premises would restrict glassware use for events (sports, DJ, live events) and felt sure that glasses would not be taken from the premises due to the boundary fence and SIA door staff being on duty from 21:00. The agent finished their statement saying that all risks had been assessed and included in the application, that the outside area would be monitored under COVID regulations until June (subject to COVID regulations being relaxed) and that the Cumulative Impact Policy (CIP) in place in this area had a different focus and should

therefore not be considered in regard to this application. The agent requested that the Hearing Panel grant the application subject to conditions.

The applicant addressed the Hearing Panel to state that this was a family run business, that they had worked to change the perception of the premises from a student led venue, that the venue was quieter in the summer months and felt that a lack of glassware use could put off an older demographic from visiting the premises.

During questioning from the Hearing Panel and two residents' group representatives, it was noted that children were permitted in the beer garden at the premises, that there had been a one-off incident of someone climbing over the boundary fence and getting stuck and that a previous violent incident had occurred under the tenure of the previous licence holders.

The two representative from local residents' groups stated that they had concerns over the handling of a large outside area, that glassware could be taken off the premises and contribute to broken glass and injuries in the area and expressed that they felt there was no reason to divert from the CIP.

During their deliberations the Hearing Panel took regard of the Cumulative Impact Policy and noted that there had been no representations from Responsible Authorities but took on board concerns over the use of glassware in the outside area and determined that this should cease at 21:00.

Decision

To grant the licence subject to the following amended conditions:

Condition 11 of Annex 3 (amended to)

The designated premises supervisor or nominated member of staff shall maintain a log at the premises to confirm that all glassware is no longer in use at the premises from 23:00 hours each day inside the premises and 21:00 hours each day outside the premises. This log shall be made available to an officer of a responsible authority upon request.

New conditions

1. Polycarbonate, or other such safety glass as agreed with the police shall be in use at the premises indoors from 23:00 daily and outdoors from 21:00 daily.
2. Polycarbonate/safety glass shall also be in use during any sporting event shown at the premises that is agreed as being high risk with the police, and from 21:00 on any night that a DJ is playing at the premises.
3. At all other times, the premises licence holder or designated premises supervisor shall undertake a continued risk assessment in terms of the use of polycarbonate or other such safety glass and implement its use where deemed appropriate.

4. The premises licence holder/DPS shall ensure that tables both internally and externally are cleared of all bottles and glasses on a regular basis during trading hours to avoid an accumulation of glassware.
5. The DPS or nominated member of staff shall maintain a log at the premises to confirm that all glassware is no longer in use at the premises from 23.00 each day (or during high risk sporting events that are agreed as being high risk with the police of from 21.00 on nights that a DJ is playing). This log shall be available to an officer of a responsible authority upon request.

**LACHP/21/32. New Premises Licence - TBC, 99a Lapwing Lane,
Manchester, M20 6UR**

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 the applicant had worked in the hospitality trade for 10 years, some time of which was in the immediate area and, as such, the applicant had local knowledge and was well aware of the Licensing Objectives. The premises was to be a small kiosk offering drinks and snacks for take away or on site consumption at a small seating area. The agent stated that there had been no objections from Responsible Authorities but that local residents' group and Local Ward Councillor held concerns. The agent explained that they had set up a meeting to address concerns around toilet use and felt that they had done so by arranging for patrons to use nearby facilities at another premises, but expressed their confusion that the residents' group's objection had not been retracted.

A Local Ward Councillor addressed the Hearing Panel and stated that they would have withdrawn their objection if the residents' group had also withdrawn theirs but gave mention of concern over patrons remaining in the seating area after purchasing take away goods.

The Local Ward Councillors concern was addressed by the applicant having a lengthy experience in the hospitality trade.

During their deliberations the Hearing Panel felt that the application should be granted as applied for.

Decision

To grant the licence.

**LACHP/21/33. Urgent Business -Temporary Event Notice - South Night
Club, 4a South King Street, Manchester, M2 6DQ**

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

The Hearing Panel were informed that the application had been withdrawn prior to the hearing and therefore no decision was required.