

## **Licensing Sub Committee Hearing Panel**

### **Minutes of the meeting held on Monday, 5 July 2021**

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

**Councillors:** Hassan and Jeavons

**LACHP/21/85. Urgent Business - Application for a Premises Licence Variation - Napoleons, 35 Bloom Street, Manchester, M1 3LY - 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/21/86. Urgent Business - Application for a New Premises Licence - TBC, Unit 3 Ground Floor, Angel Gardens, Manchester, M4 4HS - 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/21/87. Urgent Business - Application for a New Premises Licence - Basement Bar Lloyd Street, 18-22 Lloyd Street, Manchester, M2 5WA - 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/21/88. Application for a premises Licence Variation - The Cockatoo Club, Richmond House, 15 Bloom Street, M1 3HZ - 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/21/89. Application for a Premises Licence Variation - Spar, 22-24 Stretford Road, Manchester, M15 6HE**

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 barrister addressed the Hearing Panel and stated that this premises had been operating since 2013, that they had been granted an extension of opening hours and trade of all products (including alcohol) to 00:00 in 2020 and that this was a trial run to see how the operators performed. The applicant's barrister stated that there had been no complaints since the extension of trading hours, yet objections to this latest application had been received from GMP and LOOH on the grounds of public nuisance, noise and disturbance. The applicant's barrister stated that the premises was always planned as a local store and had served the community well and it was felt that the reputation of students in the area had somehow been wrongly

associated with the store. The applicant's barrister referred to comments in a 30-strong petition made within the local area, noting that drug use and rats were mentioned which were again not linked to the store. The applicant's barrister finished her opening statement by adding that GMP had no issue with the 07:00 opening time, that the dispersal policy should not be required for a shop and that this was a responsible operator.

GMP addressed the Hearing Panel and stated that their objection was on the grounds of prevention of nuisance as the property is surrounded on all sides and above by residents.

LOOH addressed the Hearing Panel and stated that their objection was also with regard to late night noise and disturbance, adding that there were no other premises selling alcohol until 03:00 hours in the immediate surrounding area. LOOH added that they felt that allowing this application would attract students and exacerbate local noise, noting that there had already been local complaints in this regard.

A Local Ward Councillor addressed the Hearing Panel and stated that this was a deprived area with residents already experiencing problems with noise from nearby parties.

In summing up the case for the applicant, the barrister stated that alcohol could be acquired from many online sources and that the operator had received no complaints during the year long trial whereby the store had closed at 00:00.

In their deliberations, the Hearing Panel felt that they understood all the objector's concerns and also took into account that this was a responsible operator with no complaints against them. Taking all of the representations into account and to uphold the promotion of the protection of public nuisance objective I the Hearing Panel felt it appropriate to reduce the hours applied for from a 03:00 closing time to 01:00 closing time and also remove the condition requiring a dispersal policy.

## **Decision**

Grant the licence with the following amendments:

1. The premises to cease trading and close at 01:00 every day
2. To remove the condition requiring a dispersal policy

**LACHP/21/90. Application for a New Premises Licence - The Pizza Room, Unit D, Aldow Enterprise Park, Blackett Street, Manchester, M12 6AE**

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/21/91. Application for a New Premises Licence - TBC, Arch 11, Sheffield Street, Manchester, M1 2ND - 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/21/92. Application for a New Premises Licence - Boozy.co.uk, Office 4, 2nd Floor, Halifax House, 93-101 Bridge 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 subject to agreed conditions.

### **LACHP/21/93. Application for a Premises Licence Variation - Fifth, 121 Princess Street, Manchester, M1 7AG**

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 application was concerning a new layout at the premises. The agent explained that the applicant had been involved with businesses at this premises for 38 years, adding that there had been a planning issue with the building concerned, in that the developer (also landlord of the building) had been instructed to carry out soundproofing across the

upper levels used for student accommodation. The accommodation was let out without this work being undertaken and consequently, the applicant's premises received noise complaints. The agent explained that LOOH had withdrawn their representation following a meeting at the premises and that the only objection remaining was from the developer/landlord whose objection was also based around noise emanating from the premises. The agent explained that the developer/landlord of the building needs to complete the noise abatement work required on the building and that his applicant had carried out all necessary measures to cover their noise abatement issues.

The objector addressed the Hearing Panel and confirmed that they would withdraw their objection.

In their deliberations, the Hearing Panel noted that all objections had been withdrawn, as the applicant had addressed the objectors' concerns in relation to noise nuisance and granted the licence.

### **Decision**

To grant the licence variation.