

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Tuesday, 3 August 2021

Present: Councillor Ludford (Chair) – in the Chair

Councillors: Andrews and Jeavons

LACHP/21/100. Application for Variation of Premises Licence - Joe's Grill, 317 Wilmslow Road, Manchester, M14 6NW

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 variation request was to include alcohol sales at the premises, which is a Nigerian food restaurant. Alcohol sales would only be as ancillary to a sit down meal on the premises, with allowance for patrons waiting for a table to order a drink, and for off sale food delivery where the amount paid for a meal would cost £8 or more. The agent confirmed that the maximum alcohol delivery would be eight cans or bottles of ale/lager or two bottles of wine. Alcohol sales would be from 11:00 to 23:00 for both on and off sales, no alcohol would be allowed to be taken outside of the premises, service would cease at 23:15 and all diners would leave the premises promptly and quietly at 23:30. The agent stated that the operator had three years experience of running the premises, was a responsible operator with no current or previous concerns and that GMP were now in agreement with the additional conditions proposed and circulated to all parties. Objections remained, however, from LOOH and local residents and residents' groups but the agent expressed that the latest schedule of conditions would uphold the licencing objections within the Special Policy Area.

There was no representative from LOOH in attendance to address the Hearing Panel with their objections. LOOH's written representations were therefore taken into account by the Hearing Panel.

Two local residents, speaking on behalf of other local residents and residents' groups, addressed the Hearing Panel and stated their concerns around the premises adding to drunken behaviour in the area if the licence variance was granted. The two residents' representatives explained that drunken behaviour, largely as a result of the student population, plagued the area with noise, waste and late night disturbances, adding that some residents had moved out of the area due to these ongoing disturbances. They confirmed that they were not against the business on the whole but did not want any further premises selling alcohol in the Special Policy Area.

In their deliberations, the Hearing Panel felt that this was a responsible operator who had now applied suitable conditions which would not add to further noise and

disturbance in the Special Policy Area, noting that GMP had now agreed the updated conditions. The Hearing Panel granted the licence, adding a condition asking for a written dispersal policy to be drawn up and agreed with responsible authorities.

Decision

The grant the licence with the condition that a dispersal policy is created and agreed with responsible authorities.

LACHP/21/101. Application for New Premises Licence - Divine Wellness, 1 Withington Road, Manchester, M16 7BW

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 stated that the premises was a healthy food led, vegan café enterprise and stated that customers had asked if cocktails could be made available.

GMP were present in the meeting and asked the applicant if the other named licensee had been removed from the licence, as requested by GMP, due to their criminal record.

Discussions concerning this licensee led the applicant to agree to deferring the hearing until proof had been provided that the other named licensee had given written evidence withdrawing themselves from the licence.

Decision

The defer the hearing to 9 August 2021.

LACHP/21/102. Application for New Premises Licence - Summer of Love, Dantzic Street - 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/21/103. Application for New Premises Licence - Getir Ltd Arch 87, North Western Street, Manchester, M12 6DY

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.