

## Licensing Sub Committee Hearing Panel

### Minutes of the meeting held on Monday, 1 November 2021

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

**Councillors:** Andrews and Hughes

**LACHP/21/161. Urgent Business - Application for a New Premises Licence - Zeugma Turkish Cuisine, 747 Wilmslow Road, Manchester, M20 6RN - determination**

The Chair had agreed to the addition of this item as a matter 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/21/162. Urgent Business - Application for New Premises Licence - TBC, 741 Wilmslow Road, Manchester - determination**

The Chair had agreed to the addition of this item as a matter 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/21/163. Application for a New Premises Licence - On The Hush, 24 Church Street, Manchester, M4 1PN - determination**

The Chair had agreed to the addition of this item as a matter 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/21/164. Application for a Premises Licence Variation - Curry Mile Minimarket, 87 Wilmslow Road, Manchester, M14 5SU**

The Chair had agreed to the addition of this item as a matter 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/21/165. Application for a New Premises Licence - Gob, 59-61 George Leigh Street, Manchester, M4 5DR**

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

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 premises had been vacant for over 15 years and that the applicants had planning permission for the scheme. The premises would be a bistro selling alcohol until 23:00 Sunday to Thursday and 23:30 Friday and Saturday. It would be a small setting of 36 capacity indoors with low level background music only. It was noted that the operating schedule had been amended in agreement with LOOH who had now withdrawn their representations. A limit of 5 would be placed on the number of smokers allowed to congregate outside the premises after 21:00 and 21:00 would be the cut off time for outdoor dining with no drinks allowed outside after this hour. CCTV would be in place to monitor the outdoor area also. GMP had not withdrawn their representations but the agent expressed that they felt the agreement with LOOH covered the main issues. There were a number of local residents objecting to and in support of the

application and the premises would be located directly below care apartments for older residents. The key themes as far as objectors were concerned were around windows, smokers, anti-social behaviour, external seating and trading hours. The agent expressed that this was a food led venture and that the applicants had took serious consideration of striking the balance with city centre living.

The applicant addressed the Hearing Panel and stated that the premises had been 6 years in the making and would restore a grade 2 listed building that had fallen into disuse. The applicant explained that both he and the DPS had many years of experience.

GMP addressed the Hearing Panel and stated that the Ancoats area was already generating lots of calls for the police regarding noise and anti-social behaviour. The proximity to residents and potential for noise from smokers outside after 21:00 could be an on-going issue as there were no other licensing premises on this street. GMP noted that neighbourhood police had raised concerns and requested the Hearing Panel refuse the application.

The five resident objectors addressed the Hearing Panel and stated that they had concerns over noise emanating from the premises and outdoor use that would cause a disturbance to the residents of the care apartments, noise affecting the health of residents, some who were dementia sufferers, some required sleep in the daytime and felt that these residents should be cared for and not subjected to the potential disturbances that they felt would be likely should the application be granted.

The objector noted that, whilst a 15% discount had been offered to the residents, there was no disabled access. It was added that the residents would have to endure 11 hours of outside table use from the premises and that some residents had to have windows open for respiratory health reasons and felt that a polite notice for patrons to leave quietly would be difficult to manage. Further mention was given to the potential for emergency services to have difficulties in getting to the building with table and chairs outside.

The first resident to address the Hearing Panel gave mention of a petition which they would like the applicant and their agent to see. The hearing was adjourned for the applicant and their agent to consider this information and they decided they did not want this considered by the Hearing Panel as a late submission.

A resident in support of the application addressed the Hearing Panel and stated that they were excited about the prospect of a bistro in the same building and felt the business would have a calm and pleasant atmosphere. The resident supporter stated that he was impressed by the applicant's willingness to engage with residents of the building and felt that this would not be run in the same manner as a bar.

## **Decision**

To grant the application with the following amended hours:

7 days a week 10.00 to 23:00 – Sale of Alcohol

Opening Hours 10.00 to 23:30

With amended conditions:

1. Any outside area used by customers wishing to dine, drink or smoke shall be clearly delineated and covered by the CCTV system which will be installed at the premises.
2. The outside area shall be monitored by staff or door staff (when employed) regularly when it is in use.
3. The area will be cleaned regularly including at the close of business.
4. Suitable receptacles shall be provided for smokers to dispose of cigarette butts.
5. Signs will be displayed in the area requesting customers keep noise to a minimum.
6. Patrons who disregard signage and verbal instructions regarding noise will be asked to move inside and/or leave the premises.
7. Open containers of alcohol shall not be permitted to be taken beyond the boundary of the outside area.
8. After 21:00 a maximum of 5 customers will be permitted to smoke in the smoking area.

#### Dispersal Policy

- At the end of the evening management and staff will assist with the orderly and gradual dispersal of patrons.
- Staff Members (including door personnel when employed) will advise patrons to leave the premises quickly and quietly out of respect for our neighbours.
- Notices will be displayed requesting our customers to leave quietly and in an orderly manner out of consideration to neighbours and their attention will be drawn to these notices by members of staff.
- We will ensure the removal of all bottles and drinking receptacles from any patron before exiting the premises (this does not apply in the case of alcohol sold for the purpose of consumption off the premises or to consumption in any delineated external drinking area).
- We will actively discourage our customers from assembling outside the premises at the end of the evening.