

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Wednesday, 12 May 2021

Present: Councillor Ludford – in the Chair

Councillors: Grimshaw and Andrews

LACHP/21/50. Application for New Premises Licence - Second City, Unit 1, Cotton Square, Ancoats, M4 5EP

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 an application for a new premises as the business was moving into a new building. The agent stated that the business had been rebranded with an emphasis on food and would be family friendly. The agent confirmed that conditions had been agreed with Responsible Authorities and were included in the report pack, adding that no external use had been requested and that they had applied for the same hours as other nearby premises. The agent then spoke about the objections received from local residents, stating that 9 representations had been received from 23 dwellings which shared the building and that a virtual meeting had been arranged to discuss residents' concerns. Residents' concerns centred around noise and disturbance from patrons and also extraction units with the agent confirming that a noise assessment had been conducted at a neighbouring resident's apartment with their permission and that the extraction units were fitted with the building, meaning that the vent is located on the roof, away from dwellings. Local residents had also raised concerns about the showing of live sports events at the premises, having noted large crowds gathering and creating a disturbance at the previous venue to watch the screens from outside the building. The agent stated that the applicant had blinds fitted after this disturbance to prevent this occurring again and confirmed that screens in the new premises would not be visible from the street. The agent made final comments about the applicant's willingness to attend local meetings, noting that the applicant and their door staff had assisted GMP with enquiries when a fight had broken out in the area some time ago.

Local residents addressed the Hearing Panel and stated their concerns around the proximity of the venue and outside area to apartments that share the same building citing noise and disturbance being key factors. The residents felt that the showing of live sports on screen would attract a large and boisterous crowd and, with the addition of alcohol, felt that this would be in breach of the Licensing Objectives. Local residents also expressed disappointment that no communication had been received from the applicant prior to the application being made.

During questioning it was confirmed that the showing of live sports was not a regulated activity and could therefore not be considered as part of the Licensing Objectives.

During their deliberations, the Hearing Panel concluded that the shared building at Cotton Square had been approved for mixed use and that no objections had been received from Responsible Authorities. The Hearing Panel felt that the application, containing conditions agreed with residents, would uphold the Licensing Objectives and saw the applicant as a responsible operator who had reached out to the local community to address their concerns.

Decision

To grant the licence subject to agreed conditions.

LACHP/21/51. Application for New Premises Licence - 202 Kitchen, Unit B5 and B6, Left Bank, Manchester, M3 3AN

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 premises was to be a bookings led bar/restaurant with a focus on food and a specific atmosphere due to its design/colour scheme. The agent stated that the clientele tended to be female led, was intended for all age groups and that the business was expanding around Britain. 202 Kitchen had been the preferred bidder for this venue and the agent confirmed that the applicant had invested £1million into the venture and expressed that this would ensure the proposed premises were of a high standard. The previous two units would be combined into one for this business and the agent confirmed that the hours requested were modest in comparison to the previous venues at the location. The agent stated that they were made aware of a Local Ward Councillor and local residents' concerns and had therefore hosted an online meeting, subsequently offering 42 conditions. The agent then noted that they had met agreements with Trading Standards with no other objections received from Responsible Authorities. In their final comments the agent stated that they had not yet agreed the outdoor use and smoking area but were committed to falling in line with conditions on other nearby premises and would also work with local residents and the City Council in this regard.

A Local Ward Councillor addressed the Hearing Panel and raised concerns regarding the layout of the buildings where the premises would be housed, stating that it was three sided which made any noise echo, adding that the capacity of the venue was too large and would be better suited to a different location. The Ward Councillor also expressed that they would have liked to have seen the conditions for the use of the outside and smoking areas included in the application.

A local resident addressed the Hearing Panel and stated that the notice area where the application was displayed was in disarray and was therefore difficult to observe. The local resident also expressed their concerns over the dispersal of patrons, the likely attendance of hen parties and delivery services management.

In their deliberations, the Hearing Panel felt that the operator had established a number of additional conditions to address the concerns of the Local Ward Councillor and nearby residents. The Hearing Panel felt that they could agree to grant the licence subject to the agreed conditions and added that the applicant should attend resident's meetings twice per year and should create a documented policy for the smoking and outside area use which should be agreed with the City Council.

Decision

To grant the licence subject to agreed conditions and with the addition of two further conditions:

1. Premises Licence Holder to attend two residents meetings per year.
2. To agree with the City Council a documented policy for the smoking and outside areas.