

## **Licensing Sub Committee Hearing Panel**

### **Minutes of the meeting held on Tuesday, 26 October 2021**

**Present:** Councillor Ludford (Chair) – in the Chair

**Councillors:** Grimshaw and Andrews

**LACHP/21/153. Application for a New Premises Licence - Surabhi Restaurant, 199a Fog Lane, Manchester, M20 6FJ - determination**

The Hearing Panel considered a report of the Head of Planning, Building Control and Licensing regarding an application for a New Premises Licence. The 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.

The Hearing Panel considered the content of the application and the agreements reached and was satisfied that a licence granted on these terms should not undermine the Licensing Objectives.

#### **Decision**

To grant the licence subject to agreed conditions.

**LACHP/21/154. Application for a New Premises Licence - Junipers Coffee Shop, 514 Wilbraham Road, Manchester, M21 9AW - determination**

The Hearing Panel considered a report of the Head of Planning, Building Control and Licensing regarding an application for a New Premises Licence. The 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.

The Hearing Panel considered the content of the application and the agreements reached and was satisfied that a licence granted on these terms should not undermine the Licensing Objectives.

#### **Decision**

To grant the licence subject to agreed conditions.

**LACHP/21/155. Application for a New Premises Licence - Slemani Restaurant, Ground Floor, 100 Wilmslow Road, Manchester, M14 5AJ - determination**

The Hearing Panel considered a report of the Head of Planning, Building Control and Licensing regarding an application for a New Premises Licence. The 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.

The Hearing Panel considered the content of the application and the agreements reached and was satisfied that a licence granted on these terms should not undermine the Licensing Objectives.

**Decision**

To grant the licence subject to agreed conditions.

**LACHP/21/156. Application for a New Premises Licence - Gallery Lounge, Unit 7, Ground Floor, 141-151 Great Ancoats Street, Manchester, M4 6DH - determination**

The Hearing Panel considered a report of the Head of Planning, Building Control and Licensing regarding an application for a New Premises Licence. The 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.

The Hearing Panel considered the content of the application and the agreements reached and was satisfied that a licence granted on these terms should not undermine the Licensing Objectives.

**Decision**

To grant the licence subject to agreed conditions.

**LACHP/21/157. Application for a New Premises Licence - Next, 100 Corporation Street, Manchester, M4 3AJ - determination**

The Hearing Panel considered a report of the Head of Planning, Building Control and Licensing regarding an application for a New Premises Licence. The 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.

The Hearing Panel considered the content of the application and the agreements reached and was satisfied that a licence granted on these terms should not undermine the Licensing Objectives.

### **Decision**

To grant the licence subject to agreed conditions.

#### **LACHP/21/158. Application for a New Premises Licence - Khawaja's Restaurant, 144 Cheetham Hill Road, Manchester, M8 8PZ - determination**

The Hearing Panel considered a report of the Head of Planning, Building Control and Licensing regarding an application for a New Premises Licence. The 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.

The Hearing Panel considered the content of the application and the agreements reached and was satisfied that a licence granted on these terms should not undermine the Licensing Objectives.

### **Decision**

To grant the licence subject to agreed conditions.

#### **LACHP/21/159. Application for a New Premises Licence - Caprice, Unit 1-2, 2 The Avenue, Spinningfields, Manchester, M3 3AE**

The Hearing Panel considered a report of the Head of Planning, Building Control and Licensing regarding an application for a New Premises Licence.

The Panel considered the written papers, oral representations of all parties as well as the relevant legislation and guidance.

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.

The Hearing Panel considered the content of the Application, the representations made by the Applicant and the content of the agreement reached between the parties. The Panel was satisfied that all representations against the application had been withdrawn and therefore it was appropriate to grant the application subject to the conditions agreed between the parties.

## **Decision**

To grant the application with the conditions set out below which were agreed between the Applicant and the Objectors.

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. Any private dining areas or rooms being used by members of the public shall also be fully covered. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.
2. Further amendment agreed with Cameron McKenna:  
(Amended condition 2): SIA registered door-staff shall be employed at the premises at a ratio of 1:100 from 2100 hours on a Friday and Saturday until 30 minutes after closing to assist with the orderly dispersal of customers. Door staff shall wear high visibility arm bands. On all other days of the week, the need for door-staff shall be regularly risk assessed and recorded by the Designated Premises Supervisor. Any additional risks identified, and further measures recommended, at any time, shall be implemented
3. A register of door staff employed at the premises shall be maintained and shall include:
  - (i) The SIA badge number and full name of door staff on duty
  - (ii) The times and date door staff are on duty
  - (iii) Any breaks taken
  - (iv) time of finishing

4. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:
  - (a) all crimes reported to the venue, or by the venue to the Police
  - (b) all ejections of patrons
  - (c) any incidents of disorder
  - (d) any faults in the CCTV system or searching equipment or scanning equipment
  - (e) any refusal of the sale of alcohol
  - (f) any visit by a relevant authority or emergency service
5. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice.
6. The premises shall display prominent signage indicating at any point of sale, the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.
7. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals.
8. Substantial food shall be available at all times during the permitted hours.
9. A Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card or a card bearing the PASS hologram. Challenge 25 signage shall be prominently displayed at any point of alcohol sale.
10. Noise from amplified music shall not be such as to cause a noise nuisance to occupants of nearby premises.
11. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance
12. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.

13. When amplified music is being played staff or management of the premises will conduct a perimeter check, before and during events to make sure any noise emanating from the building does not give rise to a public nuisance. All checks shall be recorded in writing and made available to an officer of the Council or GMP on request.
14. Customers must be moved through entrance/exit facilities as quickly and safely as possible.
15. Any queue to enter the premises that forms outside the premises shall be kept orderly and supervised by staff to ensure that there is no public nuisance or obstruction to the public highway.
16. When leaving the venue, staff will direct customers to the nearest taxi ranks or other transportation away from the area.
17. The designated outside smoking area, as attached to the plan, (see new plan) shall have a maximum of 20 people smoking at any one time. There shall always be a member of staff monitoring the area when it's in use. Suitable waste receptacles shall be provided for cigarette waste. The area shall be cleaned of all waste at the end of trading each day.
18. No drinks or glass containers shall be allowed in the smoking area.
19. No external speakers shall be operated outside the premises after 23.00hrs
20. Any alcohol consumed in the outside area of the premises shall only be consumed by patrons when seated at tables.
21. Tables and chairs in the external ground floor seating area shall be placed in such a manner to prevent their use by customers after 23.00hrs.
22. The premises and immediate surrounding area shall always be kept clean and free from litter when the premises are open to the public.
23. No odour shall emanate from the building that gives rise to a nuisance.

Further conditions: agreed with Cameron McKenna:

24. (Additional condition): Customers shall be seated at all times except in the hatched area on the ground floor plan.
25. (Additional condition): Service of alcohol to the restaurant area (not the hatched area) is by waiter or waitress service only.
26. (Additional condition): Waste will be placed in the premises' bin store in the basement. The bin store will be emptied daily into the main loading bay at 3 Hardman Street

**LACHP/21/160. Application for a Premises Licence Variation - Basement Complex, 18 Tariff Street, Manchester, M1 2FN**

The Hearing Panel considered a report of the Head of Planning, Building Control and Licensing regarding a Summary Review of a Premises Licence. The Panel carefully considered the written papers, and oral representations of all parties as well as the relevant legislation and guidance.

In reaching its decision the Hearing Panel 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.

The Hearing Panel considered the content of the Application, the oral representations of the Applicant and the supporter as well as the representation made against the application. The Hearing Panel was satisfied that the variation granted subject to the agreed conditions should not undermine the Licensing Objectives and therefore it was appropriate to grant the application on these terms.

**Decision**

To grant the application for a variation subject to the conditions agreed between the Applicant and Licensing Out of Hours.