

## **Licensing Sub Committee Hearing Panel**

### **Minutes of the meeting held on Monday, 5 September 2022**

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

**Councillors:** Hilal and T Judge

#### **LACHP/21/67. Application for a New Premises Licence - Mayfield Park, Baring Street, Manchester**

The Hearing Panel considered a report from the Director of Planning, Building Control and Licensing. The Hearing Panel also considered the written papers of the parties and the oral representations of the parties in attendance as well as the relevant legislation.

The applicant's agent addressed the Hearing Panel, stating that the intention of this application was not to detract from the use of this space as a park. There was no expectation that the Licence would be used until 23.00 every day, as applied for. Rather that request was seen to provide flexibility to the Licence holder. The applicant entered into a pre-application consultation with the responsible authorities and saw no objection raised from GMP. LOOH initially objected, not requesting refusal of the application, but amendments to the conditions which the applicant agreed to. Objections were received from 8 residents, which were similar in nature. The proposed DPS emailed all 8 objectors but only received a response from 3, who all declined a visit to the site whereby the DPS had hoped to alleviate their concerns. The applicant's agent suggested that there was not widespread fervent opposition to the application and that some of the resident objections refer to existing noise in the area which is from other Premises. One resident had concerns that the park would be 'hijacked' by the granting of this Licence, but the applicant's agent stated this was not the intention. They informed the Panel that it was usual for parks to be Licenced in this way and it does not mean they do not remain as public parks. Events held at the park are intended to be low-key.

The panel sought clarity on if access to the park would be restricted during events, if a reduction in hours had been considered following the receipt of objections and confirmation that having the Licence till 23.00 does not mean that events will always utilise this end time. The proposed DPS stated that there are three distinct areas of the park, all with different entrances. They stated that the parks design allows flexibility and means that events will not restrict access to areas such as the children's play area. The applicant's agent stated that the hours were carefully considered when drafting the application. They informed the panel that the hours would be on a par with other Licence's in public parks and that the 23.00 terminal is only intended for flexibility. The proposed DPS confirmed to the panel that being able to finish at 23.00 did not mean events would always finish at that time.

The panel then sought further information on why an agreed condition referenced off-sales when the application was only for on-sales, if another Licenced premises in this area would add to the problems caused by others in that area and further confirmation on the applicant's intention regarding hours of operation and plans for

large events. The applicant's agent noted that there should not be a condition regarding off-sales and confirmed the applicant was happy for this to be removed. The proposed DPS for this site stated he would be the DPS for all three premises in this area, including this one, and would plan events accordingly. They accepted that public transport was key to the site but also informed the panel that planning permission had been received for a multi-storey car park nearby. Further the proposed DPS informed the panel that the dispersal policy for events would be linked to the other nearby premises but stated that the park would mainly be used for summer events. The proposed DPS also stated that the hours applied for were intended to cover all eventualities and there is no intention to have a negative impact on the area. The applicant's agent then stated that for any event over 2,000 people there would be a requirement to notify the responsible authorities at least two months in advance.

In their deliberations, the panel noted the objections received by the 8 residents. The panel were satisfied that the conditions proposed by LOOH, and the experience of the applicant, would uphold the Licensing Objectives.

### **Decision**

To grant the licence subject to the conditions agreed with the Licensing and Out of Hours Team.

(Save for this condition – "All sales of alcohol for consumption off the premises shall not be removed from premises unless in sealed containers only." As there is no application for off sales it wouldn't be appropriate to attach this condition.)

### **LACHP/21/68. Application for a New Premises Licence - Lakeside Café, Heaton Park, Middleton Road, Manchester, M25 2SW**

The Hearing Panel considered a report from the Director of Planning, Building Control and Licensing. The Hearing Panel also considered the written papers of the parties and the oral representations of the parties in attendance as well as the relevant legislation.

The applicant addressed the Hearing Panel, stating that the Café has been operating for some time and would like to add alcohol to its refreshments. Alcohol would only be allowed in designated areas, with a member of management on site at all times to monitor this. The Café has procedures and training in place to achieve the four Licensing Objectives.

The panel sought confirmation that alcohol could not be taken off-site and into the park, if a customer would need to buy food to be served alcohol and why the application requested off-sales. The applicant confirmed that alcohol would only be served inside or in the roped table area outside. This would be controlled by a member of management team on site and their staff. The site closes at 19.30 during the summer and at 18.00 during other times of the year. Customers would not need to buy food to be served alcohol. The premises operates 3 domes at the lakeside that need to be booked online and can only be booked for afternoon tea. Alcohol will be served to these domes and monitored by a waiter.

In their deliberations, the panel were satisfied with the conditions proposed by Trading Standards and LOOH. The panel were satisfied that the applicant is a responsible operator, with procedures in place to uphold the Licensing Objectives.

**Decision**

To grant the application with the conditions agreed by Trading Standards and Licensing and Out of Hours.