

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Monday, 6 February 2023

Present: Councillor Andrews – in the Chair

Councillors: Evans and Connolly

LACHP/23/6. Application for a New Premises Licence - Forty-Seven, 47 Peter Street, Manchester, M2 3NG

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 their plans were for a 32-bed boutique hotel. The applicant already runs a fine dining restaurant at the premises. The applicant addressed the concerns of GMP regarding CCTV being available above the front entrance. The applicant noted that this was difficult due to the premises being a Grade II listed building. They stated that if they were to trade beyond midnight, the premises would employ door staff who would be equipped with a bodycam. They also informed the panel that the first metre of the entrance is covered by internal CCTV.

GMP addressed the Hearing Panel, noting their issue with the application as external CCTV. The area in which the premises is situated draws the most allegations of assault by door staff and CCTV would enable GMP to verify or disprove any allegations. It was for crime prevention that GMP sought this condition for CCTV covering the front door. GMP noted that this was a condition that has been put on most recent City Centre licenses.

The applicant responded to these concerns, noting that the premises would have no difference in trading hours to the current fine dining restaurant already in operation. They informed the panel that the Licence for the restaurant did not have a condition relating to CCTV at the front entrance. They also stated that door staff would wear bodycams that would provide any required footage.

LOOH addressed the Hearing Panel, stating there was only one condition that had not been agreed between themselves and the applicant. That condition related to cleaning the highway outside the premises. LOOH stated that this was one of the busiest streets in the night-time economy and the condition required the applicant to clean the area at the front at the end of their trading hours. LOOH noted that this would be expected of any Licence holder, to uphold the public nuisance licence objective. They informed the panel that the condition had been amended to remove reference to the gutter.

The applicant responded that they would always ensure the area around the premises would be clean. They felt it more appropriate that this was completed at regular intervals, rather than at the end of the trading hours.

LOOH summed up by stating that all other conditions had been agreed and with this final condition, they would be happy for the application to be approved.

GMP summed up by stating that theirs was a condition added to most licences now. GMP had received no evidence to show that being a Grade II listed building would prevent the applicant from meeting this condition.

The applicant summed up by noting LOOH and GMP's concerns, reiterating that they felt CCTV at the front entrance was not possible but accepting they would go above and beyond the street cleaning condition proposed by LOOH.

In their deliberations, the panel noted that the applicant was already operating a fine dining restaurant and bar at the premises. They accepted the agreements with the responsible authorities on all but two conditions, and therefore focused their discussions on those conditions not agreed. In relation to street cleaning proposed by LOOH, the panel noted LOOH's amended to this. The panel accepted that the applicant had confirmed they already go above and beyond this condition in operating the bar and restaurant. The panel were satisfied that the wording of the condition did not prevent this from continuing and therefore considered it appropriate and proportionate to add to the Licence.

In terms of GMP's proposed CCTV at the front entrance condition, the panel considered that the restaurant and bar was operating from the same premises without this condition, seemingly with no issues. The panel were satisfied that operating a hotel at the premises would not increase any queues or problems at the front entrance which would require CCTV. The panel were also satisfied that, when the premises operated beyond midnight, SIA door staff would wear bodycams. The panel accepted that there was CCTV internally that covered the first metre of the entrance way. The panel therefore did not believe it to be appropriate and proportionate to add a condition requiring external CCTV for the front entrance.

Decision

To grant the application as applied for, with conditions consistent with the amended operating schedule, including those agreed with GMP and Licensing out of hours and with the additional condition below to be imposed on the licence:

At the end of the restaurant/bar area trading each day the pavement from the building line to the kerb edge immediately outside the premises, shall be swept or washed, and litter and sweepings collected and stored in accordance with the approved waste storage arrangements.

LACHP/23/7. Application for a New Premises Licence - Beilul Lounge, First Floor, 100 Wilmslow Road, Manchester, M14 5AJ

The Hearing Panel were advised that the application had been withdrawn by the applicant prior to the hearing date and therefore no decision was necessary.