

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Tuesday, 25 January 2022

Present: Councillor Ludford (Chair) – in the Chair

Councillors: Hassan and Hughes

LACHP/21/6.Application for a Premises Licence Variation - South West Manchester Cricket Club, Ellesmere Road, Manchester, M21 0SG

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

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

The applicant addressed the Hearing Panel, stating that the Club has been operating for many years but does not currently hold a Licence for spectators to drink alcohol outside. They had assumed that a Premises Licence included all areas of the Club and acknowledged that before realising it did not, they had had people outside drinking alcohol. The applicant noted that they are a well-run, responsible community club who have not had any prior complaints.

In questioning, the Hearing Panel sought to establish more information regarding the number of spectators at matches, the type of events organised outside of Cricket matches and how the applicants have attempted to alleviate objector concerns. The applicants stated that, at most, they would have around 30 or 40 people for a cricket match but only 8 or 9 of them would drink alcohol. Any events the Club organised are covered by a TEN and these only occur once or twice a year, usually finishing around 9pm. The applicant stated they had attempted to contact both objectors via email to address their concerns. One objector has responded to the applicant, stating their main concern as the ability of the Club to have all patrons inside by 10pm. The other objector has not responded to any attempted contact.

In their deliberations, the Hearing Panel acknowledged the written objections. However, they noted how long the Club has been operating without any prior issues. They also commented on the relatively small numbers of spectators who attend matches. The Hearing Panel acknowledged the efforts made by the applicants to contact objectors to address their concerns. The Hearing Panel was satisfied that to grant the application would not undermine Licensing Objectives.

Decision

To grant Premises Licence Variation as amended, to sell alcohol in the outside area until 10.00pm.

LACHP/21/7.Application for a New Premises Licence - Above Dockyard, First Floor Bar, 657 Wilmslow Road, Manchester, M20 6RA

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 and oral representations of all parties, as well as the relevant legislation and guidance.

The applicant's representative addressed the Hearing Panel, first noting the experience of the applicant in managing Licensed Premises across Manchester. The applicant had a history of acquiring rundown buildings to restore them into new ventures. The application for this Licence was to create a competitive socialising venue, whereby patrons would be able to play board games whilst also being able to drink alcohol and eat food. The applicant's representative sought to establish the difference between this premises and the one below. Whilst both premises will have the same Licence holder, they will be two separate Licences, each with their own conditions and there is no access between the two Premises. The applicant's representative then sought to address objector concerns. These concerns were focused on the outside area, the hours of operation and noise emanation. The representative stated that this application has nothing to do with the outside area at the back of the Premises and there is no intention for it to do so. The hours requested are already permitted at the Premises below and are appropriate to the area, according to the representative. They also stated there was no intention to operate into the night regularly, but the applicant would like the option. The representative stated there was also no intention for the Premises to become a nightclub and no intention to install any noise emanating equipment, therefore keeping noise emanation to a minimum.

An objector then addressed the Hearing Panel, raising concerns about the proximity of the premises to the gardens at the rear. They sought assurance that there would be no plans for a beer garden at the rear. The objector raised concerns that the noise from game machines and the number of patrons would create a problem for the area. They also wanted further clarity on whether the Licence would be amended in the future to be a nightclub if the competitive socialising idea turned out to not be profitable. The objector provided images of a rear stairwell to the Hearing Panel, stating they believed this to be the entrance to the premises. After viewing, the applicant's representative informed the Hearing Panel that this was a fire exit and thus would only be used in the event of a fire alarm. The representative said that the entrance to the premises would be from the front.

In summing up, the applicant's representative felt that objectors had a misconception about the intention of the application. They stated that the application was for a competitive socialising bar and believe they had appropriately addressed objectors concerns.

In their deliberations, the Hearing Panel noted the concerns of the objectors that the Premises could change its operation in the future but stated that if this was the case, objectors could apply for a review of the Licence. They also noted that the rear of the Premises was not a part of the application and could therefore not be considered. The Hearing Panel acknowledged the experience of the applicant, and the robustness of the proposed operating schedule. The Hearing Panel were satisfied that the application as set out would not undermine the Licensing Objectives.

Decision

To grant the New Premises Licence as applied for.

LACHP/21/8.Exclusion of the Public

A recommendation was made that the public be excluded during consideration of the following items of business.

Decision

To exclude the public during consideration of the following items which involved consideration of exempt information relating to the financial or business affairs of particular persons, and public interest in maintaining the exemption outweighed the public interest in disclosing the information.

LACHP/21/9.Application for a Personal Licence - SH

The Hearing Panel were informed that SH had failed to attend their Hearing.

Decision

To defer consideration of the application to a later date.