

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Tuesday, 20 December 2022

Present: Councillor Andrews – in the Chair

Councillors: Connolly and Grimshaw

LACHP/21/86. Application for a New Premises Licence - Abssco Ltd, Room 2 Flat 305, Regent Court, 131 Wenlock Way, Manchester, M12 5BS

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 was unable to attend the Hearing but had requested that it go ahead in their absence.

GMP addressed the Hearing Panel, noting that there had been a change to the operating hours applied for. GMP felt that a residential flat was not an appropriate premises for the sale of alcohol and could create an unnecessary disturbance to other residents.

LOOH stated that their concerns were similar to GMP and related to public nuisance. They had concerns about the delivery of alcohol to the Premises, with no information provided in the application regarding this.

Trading Standards raised concerns regarding the protection of children from harm. They were unsure how age verification would take place, with the application not providing detail on this. Trading Standards noted there were no conditions relating to staff training regarding Challenge 25 and there was no detail on how sale refusals would be recorded. They felt the Licensing objectives would not be promoted by the applicant.

The Hearing Panel noted the concerns of GMP, LOOH and Trading Standards, and questioned if it was normal to see a supplier suggest buying stock from a Supermarket and not a wholesaler. Trading Standards stated that it was an unusual condition to have been offered.

The Hearing Panel's Legal Adviser questioned how age would be verified at the point of sale and if it was expected that staff would receive training on how to deal with sale refusals. Trading Standards stated that there are various ways to verify age online. They did expect that staff would receive training as if a refusal was not handled appropriately, that could lead to public nuisance given the operating hours.

Trading Standards summed up by stating there was very little in the application regarding protecting children from harm and there was no reason for this. Trading Standards had no confidence that the Licensing Objectives would be upheld.

LOOH summed up by stating that the applicant had not provided sufficient information on the Licensing Objectives, particularly around public nuisance.

In their deliberations, the Hearing Panel noted that the application had not provided sufficient information on how the Premises would operate. They had concerns about how age verification checks would be carried out. The Panel were also concerned that the Premises could become a Public Nuisance and it appeared the applicant had not taken this into account, nor met with residents to discuss this. The Hearing Panel had no confidence in the application to uphold the four Licensing Objectives.

Decision

To refuse the application.