

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Tuesday, 30 May 2023

Present: Councillor Grimshaw – in the Chair

Councillors: Andrews and Evans

LACHP/23/32. Urgent Business - Temporary Event Notice - NIAMOS Arts and Cultural Centre, Nia Centre, Chichester Road, Manchester, M15 5EU

The Panel was notified by email on the day of the hearing by the Applicant that the event would no longer be taking place and that the Notice was effectively withdrawn.

Decision

To note that the application had been withdrawn by the Applicant.

LACHP/23/33. Application for a New Premises Licence - La Buka African Cuisine Ltd., 286-288 Moston Lane, Manchester, M40 9WB

The application was withdrawn by the Applicant.

Decision

To note the withdrawal of the application by the Applicant.

LACHP/23/34. Application for a Premises Licence Variation - Didsbury Sports Ground, Ford Lane, Manchester, M20 2RU

The Hearing Panel considered a report from the Director of Planning, Building Control and Licensing regarding the above application. The written papers and oral representations of all parties who attended were also considered, as well as the relevant legislation.

In line with the established procedure from the hearing, the Panel first heard from the Applicant's Representative in view of the the Applicant not being present at the hearing.

The Panel was informed that the application was for a single annual event and that at the point of the applications submission, the timing of the event had not been decided. The intention however was for the event to take place annually on the second May bank holiday. Therefore, there would be no event this year. The proposal for 2024 was for a three-day Craft beer festival commencing on Friday at 4pm, a start time on Saturday and Sunday of 2 pm. On Friday and Saturday there would be a finish time of 10:30 pm for licensable activities and closure of venue at 11 pm with a closure time of 7 pm on Sunday. The intention was that there would be a 2500 maximum number of attendees with tickets being available in advance but,

should those tickets not be sold out, there would be capacity for patrons to pay at the gate up to the maximum number of attendees. The Applicant's Representative accepted that there had been no engagement with local residents prior to the application being submitted and that neither the Applicant nor his agent had anticipated the level of objection from local residents. Following receipt of the representations they had paid specific attention to the residents' concerns regarding noise, traffic management and litter. In terms of noise the Panel heard that the Applicant would engage an expert to develop and implement a Noise Management Plan to mitigate against any further noise nuisance from the premises due to the event. The Applicant accepted that the access roads were narrow and there was very limited parking on site. The Applicant told the Panel that he had met with a representative of the Highways Authority but was unable to tell the Panel what the proposed access and egress plan would be for the event. The Panel also heard that there would be a cleansing plan put in place to mitigate against the impacts of littering in the area.

The Panel then heard from the Licensing Out Of Hours representative that the Responsible Authority had been unable to properly assess the impact of the event as there was no site specific management plan and therefore taking into account the location of the premises it was likely that should the application be granted this would cause public nuisance in the area. The Panel heard from local residents and local Councillors that there were existing problems with noise nuisance caused by the premises which they felt had become less of a community benefit in recent years and had led to some antisocial behaviour in the vicinity following events.

The Panel expressed disappointment that given the large scale of the proposed event there had been no pre application consultations with the Responsible Authorities and/or residents. The Panel considered that the application was ambiguous with insufficient detail as to how the proposed noise management plan would be carried out and implemented and also how access and egress would be managed given the narrow access roads and the large numbers of proposed attendees. The Panel therefore resolved it could not be satisfied that public safety would not be undermined by the traffic management of the event. The Panel also considered that there was a likelihood that noise from patrons arriving and leaving as well as music breakout would cause a noise nuisance in the area. The Panel therefore considered it appropriate to refuse the application.

Decision

To refuse the application on the grounds of prevention of public nuisance and public safety