

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Monday, 16 October 2023

Present: Councillor Andrews – in the Chair

Councillors: Flanagan and T Judge

LACHP/23/97. Application for a New Premises Licence - Island Lounge, 645 Maudleth Road West, M21 7SA

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 the parties who attended were also considered, as well as the relevant legislation.

The applicant's agent noted that a dispersal and noise management policy had been supplied to all parties earlier that day. They noted that the prevailing concern of a local ward councillor who had objected was the terminal hour on a Sunday. Prior to the hearing, the agent and councillor had agreed that to stop serving alcohol at 10.30pm and closing the restaurant at 11.00pm was acceptable to both parties. The premises had supplied an Operating Schedule, which had been amended with further conditions agreed with Licensing Out of Hours. Following the agreed conditions, LOOH had withdrawn their representation, as had GMP and Trading Standards. Concerns had been raised regarding the smoking policy due to a plastic sheet outside the Premises. This sheet had been removed and thus removed the concern. The applicant's agent noted that they were working with LOOH to create an acceptable smoking policy and the Premises would not open until that had been achieved. The Premises had been operating as a restaurant since February 2023. There were concerns regarding noise related to the outside speaker, which had since been removed by the applicant.

The panel questioned an incident reported on 17 August 2023 regarding the smoking of Shisha indoors and whether that issue had been resolved. The applicant's agent noted that was due to the plastic sheeting that, according to law, classed as indoors. The smoking did not occur inside the Premises. The plastic sheeting had also been removed to stop this issue.

A local ward councillor attended the hearing as an objector but noted that they were prepared to accept the hours that had been put forward, particularly in relation to Sunday's, and were happy to withdraw their representation.

In their deliberations, the Hearing Panel have considered the Council's Statement of Licensing Policy, the Licensing Act 2003, the Regulations made there under and the Guidance issued by the Secretary of State under Section 182 of that Act and the licensing objectives.

Decision

To grant the application with the additional agreed conditions with the Responsible Authorities, the amended hours as agreed with the interested party in attendance, and subject to the smoking policy being agreed with Licensing Out of Hours.

LACHP/23/98. Application for a New Premises Licence - Zula, 312 Platt Lane, Manchester, M14 7BZ

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 the parties who attended were also considered, as well as the relevant legislation.

The applicant's agent noted that there had been prior dialogue with Greater Manchester Police and Licensing Out of Hours that led to the applicant agreeing to reduce the operating hours to close at 11.00pm Sunday to Thursday and 12.00am Friday and Saturday. A dispersal and noise management policy had been provided on the day of the hearing to all parties. Licensing Out of Hours had confirmed that they were happy with both policies. The agent noted that the Operating Schedule provided was comprehensive, stating that Responsible Authorities had no remaining objections and they were the experts. The agent noted that the applicant had addressed the resident objectors concerns regarding hours. They stated that the Premises had operated since June 2022 and no complaints had been received.

In their deliberations, the Hearing Panel have considered the Council's Statement of Licensing Policy, the Licensing Act 2003, the Regulations made there under and the Guidance issued by the Secretary of State under Section 182 of that Act and the licensing objectives.

Decision

To grant the application with the additional conditions as agreed with the Responsible Authorities.