

## Licensing Sub Committee Hearing Panel

### Minutes of the meeting held on Monday, 15 May 2023

**Present:** Councillor Andrews – in the Chair

**Councillors:** Hilal and Hughes

**LACHP/23/27. Urgent Business - Temporary Event Notice - Empire House, 2 Empire Street, Manchester, M3 1JA - ref: LTN287920**

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

GMP addressed the Hearing Panel and voiced their concerns regarding the event, stating that this was a Temporary Event Notice (TEN) requested for 17 June 2023 from 16:00 to 03:00 the following day for a music event. GMP were aware of previous TENs at this venue and the latest on 28-29 April 2023 had erupted into a full scale brawl with one person receiving serious facial injuries. GMP and the ambulance service had been called to the site on this occasion. GMP raised that there had been no information on security for the event initially but noted that this had now been received. GMP had concerns due to the mishandling of the previous event.

The representative for the applicant, Mr Dixon, confirmed that this was not a music event and added that GMP had now been supplied with the required supporting documents, noted the previous 6 TENs which had gone without incident and added that the event applied for today had no association with the latest event and no other reps against it.

GMP responded, stating that this request had been received after the troublesome event and had therefore raised concerns about a repeat incident and added that they had seen CCTV footage of this which showed no sign of security on site while attendees were still there.

Mr Dixon stated that it was a third party that had caused the incident.

LOOH addressed the Hearing Panel and stated that they shared concerns with GMP and expected to see a more detailed plan of event management after the previous incident and requested that the Hearing Panel refuse the application.

The Hearing Panel asked if this was an unlicensed venue and LOOH confirmed this.

Mr Dixon, acting on behalf of the applicant, stated that the TEN was for a 50<sup>th</sup> birthday party by invite only. Members of the public would not be permitted to attend. This was a family event with members coming from as far as the USA. Empire House was unlicensed and had 6 previous TENs go without any incident and 1 problematic event which GMP had referred to. Empire House had submitted an application for a permanent premises licence. Mr Dixon stated that this request had been heard and

refused with representations against it being received on the same day. The applicant had no link to any previous event and it was unreasonable to expect the same consequences for a different event.

GMP asked the applicant if it was her application and if she had agreed any action plans. Mr Dixon stated that he would answer questions as part of Empire House management. GMP stated that it is the applicant who takes responsibility for the event and would like her to answer. The applicant stated that it was an event by invite only with 3 security guards booked, 2 for indoors and 1 for the entrance. The applicant stated that security could be increased if this was a concern. During further questioning from GMP, the applicant stated that she had not drawn up an action plan and added that the venue had organised security before any agreements had been made. The applicant continued by stating that this was her 1<sup>st</sup> application, that she was directed to apply to the council, that she simply wanted to explain what the request was for and added that it would be mostly female attendees and family members. There would be alcohol provided.

LOOH asked the representative if they had been the responsible person for arranging the previous events. Mr Dixon confirmed this and stated that he had never been asked to provide dispersal and security policies, adding that Empire House have their own policies in place. LOOH gave a list of dates and stated that their team had attended in March and found an event taking place without any notice. Mr Dixon stated that the application in March was submitted and no representations had been raised. Mr Dixon responded to a question from LOOH by stating that, once an event had been booked it was left with Empire House so he would not be aware whether it took place or not.

The Legal Advisor to the Hearing Panel asked if Empire House used generic documentation for all events and enquired if there were any documents particularly relating to this TEN. Mr Dixon stated that they had submitted the TEN request and security information, which was very commonplace. Empire House had a licence holder in order to sell alcohol and confirmed that the documents were generic but applicable.

In summing up, GMP stated that they remain concerned of risk as the applicant was not aware of the process and is the responsible party. GMP felt that the documentation was too generic and felt that the applicant could not uphold the licencing objectives. Due to these comments and the previous incident GMP felt the application for this event should be refused.

In summing up, LOOH stated that the applicant was relying on the premises which is not proper procedure and asked the Hearing Panel to refuse the event application.

Mr Dixon summed up by stating that the event bore no relation to any previous events, that the documentation on a building have to be generic, that he had worked within a licensing capacity for many years and worked with GMP numerous times without issues. He could not see why other events had been granted and this one was being requested for refusal and questioned whether objections would be received for any events request at Empire House. The applicant was a nurse wishing to hold a family, invite only event.

In their deliberations, the Hearing Panel noted the concerns of responsible authorities regarding the April event that caused concerns but felt satisfied that the licensing objectives would be upheld due to the security arrangements, building management and due to the fact that this was a ticket only private event for family members.

**Decision**

To grant the application.

**LACHP/23/28. Temporary Event Notice - Empire House Manchester, 2  
Empire Street, Manchester, M3 1JA - ref: LTN287866**

The Hearing Panel was informed that the applicant had communicated requesting to defer the hearing as they were unable to attend due to family illness.

**Decision**

To adjourn the matter until next suitable date.