

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Friday, 9 June 2023

Present: Councillor Andrews - in the Chair

Councillors: Hilal and T Judge

LACHP/23/38. Urgent Business - Application for a Premises Licence Transfer - Queens Hotel, Sedgeford Road, Harpurhey, Manchester, M40 8QU

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.

The applicant addressed the Hearing Panel and stated that he is a pub and bar operator who also owns and runs a door security business with over 25 years experience. The applicant stated that he wished to take over the running of the Queens Hotel and assured the Hearing Panel that the previous licence holder would have no involvement. No-one else would have any involvement at the Queens Hotel without the applicant's say so and he intended to run the pub with safety in mind. The Queens Hotel was a social meeting point for many on the estate and it was noted that individuals involved with the recent troubles leading to the revocation of the previous licence were now in prison. The applicant had a clean record and had been running a security business for 10 years. Under 21s would not be permitted to drink at the pub under the applicant's terms as he felt that this would discourage some of the more troublesome characters and change the dynamic of patrons. The other premises handled by the applicant were running well with zero call outs to The Charleston and only 2 to the Mowers Arms in his time as DPS for both. The applicant was used to working venues in challenging areas and stated that he would move to an address closer to The Queens Hotel to be on hand. The applicant understood and respected GMP's objections but stated that his 25 years of experience made him the best placed person for the task of running the premises safely.

In responding to questions from GMP, the applicant stated that he would be the DPS of 3 premises if this application was granted, that he had relinquished the role of Director at the security firm Rollins Ventures, that the Mowers Arms needed 1 week notice to close, referred incorrectly to all 4 Licensing Objectives, would be able to focus on The Queens Arms as they were used to running multiple premises/businesses, apologised for missing the initial hearing on Monday 5 June 2023 as he mixed up dates in the diary and understood the concern that missing the date raised with GMP in terms of his ability to focus on many tasks.

In responding to questions from the Legal representative for the Hearing Panel, the applicant stated that Rollins Ventures had been sold, that the records showing him as the current sole director would have to be taken up with his accountant, that he could forward his P45 in this regard and that his main focus now would be on the public houses in his name.

GMP addressed the Hearing Panel and stated that the previous licence had been revoked with the interim steps suspension also kept in place. GMP were expecting an appeal against the revocation and suspension. The applicant today was also the DPS at The Charlestown and The Mowers Arms pubs whilst also Director of a security business. GMP believed that he was involved in too many other ventures to be able to give sufficient focus on The Queens Arms, as a very challenging public house. There was also an issue with the applicant's address being incorrect on the application which was concerning. Coupled with the fact that he had missed the initial application date of Monday 5 June 2023, GMP felt that this was clear evidence that the applicant was not able to focus properly under the demands of running several businesses already. GMP expressed that it was their view that the applicant was not able to hold the licence for The Queens Hotel for this reason.

In responding to a question from the applicant, GMP stated that they could not consider any hypothetical situations regarding his proximity to the premises.

In summing up, GMP stated that the licence was revoked for public safety reasons and that the applicant is too involved in other premises and businesses already. The Queens Hotel would need a licence holder who would focus solely on this premises. GMP requested that the Hearing Panel refuse the application.

The applicant summed up their case by stating that he grew up in the area and knows everyone, would be living 10 seconds away if the licence was granted to him and stated that he wouldn't consider being involved in the running of the premises if he didn't think he couldn't manage it.

In their deliberations, the Hearing Panel considered that GMP made a strong case against the applicant being capable of running the premises. The applicant had indicated a lack of attention to detail on their application form and missed hearing date. The Hearing Panel agreed that the premises required someone to put their sole attention into The Queens Hotel and determined that this applicant could not do so due to their other commitments.

Decision

To refuse to grant the licence transfer.

LACHP/23/39. Application for a New Premises Licence - Side Street, 315 Wilmslow Road, Manchester, M14 6NW

Decision

To note that the application had been withdrawn.

LACHP/23/40. Application for a New Premises Licence - Panacea, Basement, Ridgefield House, 14 John Dalton Street, Manchester, M2 6JR

The applicant's agent had requested a deferral for this hearing owing to health concerns.

Decision

To defer the hearing until a future date.

LACHP/23/41. Application for a New Premises Licence - La Vie Cafe, Ground Floor, Unit 2, 48 Deansgate, Manchester, M3 2FE

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.

The applicant addressed the Hearing Panel and stated that they wished to extend their licence as the premises was expensive to run. Students who frequented the café had asked for the licence to be extended to 03:00.

In responding to questions from GMP, the applicant stated that they already hired security and dealt with drunk people on Deansgate, that they had not been asked to add further conditions and confirmed that one of the team had not seen the objections raised by GMP and LOOH to address them.

In responding to questions from LOOH, the applicant stated that his colleague submitted the application, that they would not always remain open until 03:00, that they considered that they were required to hold a licence past 23:00 hours due to late clubs and drunk people, that they were in the process of booking security staff and that current operating hours were 07:00 to 23:00.

GMP addressed the Hearing Panel and stated that there was next to no detail on the licensing objectives, that one of the management team did not appear to be aware of GMP's objections and that it was obvious that the licensing objectives would be undermined and asked the Hearing Panel to refuse the application.

LOOH addressed the Hearing Panel and stated that it was clear that the applicant did not understand the difference to the premises if allowed to open later than 23:00. There was no mention of the licensing objectives, how to deal with drunk people from nearby clubs and bars, no security or CCTV conditions. This was very concerning to LOOH. The purpose to remain open beyond 23:00 appeared to be purely commercial but there was no consideration on how to operate responsibly.

Looh summed up their case by stating that the application should be refused, adding that the model conditions are available to the applicant online. Manchester City Centre is very busy and challenging during the late night economy hours and there was no mention of the licensing objectives or how they would be upheld by the applicant.

Neither the applicant nor GMP offered a summation.

In their deliberations, the Hearing Panel considered that the applicant needed to have prepared more diligently for this application and were satisfied that the applicant could not be expected to uphold the licensing objectives based on their application.

Decision

To refuse to grant the licence.