

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Tuesday, 2 April 2024

Present: Councillor Grimshaw (Chair) – in the Chair

Councillors: Connolly and Andrews

LCHP/24/21. Application for a New Premises Licence - Greggs, Concourse Kiosk, Victoria Station, Manchester, M3 1WY

The Hearing Panel were informed that all representations had been agreed and withdrawn, and therefore no decision was necessary.

LCHP/24/22. Application for a Premises Licence Variation - Zaranda, 1 Lapwing Lane, Manchester, M20 2NT

The Hearing Panel were informed that all representations had been agreed and withdrawn, and therefore no decision was necessary.

LCHP/24/23. Urgent Business - Temporary Event Notice - Queens Hotel, Sedgeford Road, Harpurhey, Manchester, M40 8QU

The Hearing Panel considered as urgent business, a report from the Head of Planning, Building Control and Licensing concerning an application for a Temporary Event Notice (TEN) for an event proposed to take place at the Queen's Hotel, Sedgeford Road, Manchester, M40 8QU. The Hearing Panel considered the written papers of the parties submitted and the oral representations of the parties who attended, as well as the relevant legislation.

The applicant Miss Janice Flint was represented by Mr Dale, and both were in attendance, at the hearing via a Zoom link. Also in attendance were PC Alan Isherwood (Greater Manchester Police) and Paul Bonner (Licensing and Out of Hours Compliance Team).

The Chair conducted the hearing in accordance with the agreed procedure.

The Hearing Panel heard that objections had been received from Greater Manchester Police (GMP) and Manchester Council Licensing and Out of Hours Compliance Team (LOOH) to the granting of the TEN for an event to be held on 5 and 6 April 2024.

GMP attended the hearing and advised the Hearing Panel that there were serious concerns regarding the Application and pointed out that the Premises Licence had been revoked at a hearing held on the 6 April 2023. The decision to revoke the licence is being appealed to the Magistrates Court.

GMP reiterated concerns that it had expressed prior to the premises licence being revoked, namely that to allow the Application would lead to the licensing objectives being undermined in that it would facilitate further disturbances in the area and expose persons working and frequenting the premises to potential harm from retributions from organised crime groups.

The officer from the LOOH team advised the Hearing Panel that a risk assessment had been undertaken on the proposed TEN and similar representations were made to those submitted by GMP, that there was a risk of retribution attacks which could put the lives of staff, customers and the public at large at risk.

The Hearing Panel heard evidence from Mr Dale on behalf of the applicant that an incident had occurred involving the premises licence holder's son who had been shot at by unnamed youths on electric bikes and this had ultimately led to an investigation by GMP resulting in the premises being reviewed.

Mr Dale indicated to the Hearing Panel that he had taken action to protect his son and that the incident had not occurred at the premises.

Despite such representations, the Hearing Panel was extremely concerned about the incident which had exposed members of the public to potentially serious harm.

Mr Dale stated that the Premises never had any complaints or charges brought against it, whilst the current occupiers had owned the pub, for over forty years. It was also explained to the Hearing Panel that no complaints to GMP about other events held in the premises had been made since the Premises Licence was revoked on 6 April 2023.

The Hearing Panel noted that there is no record of any Temporary Event Notice applications being submitted since 6 April 2023, and took into consideration the GMP response that it would not have expected any complaints to be made given that no such applications had been received.

After hearing the representations from all parties concerned, the Hearing Panel retired from the meeting room to consider the statements and evidence submitted.

After considering the application the Chair of the Hearing Panel informed all parties present of the decision.

In taking into account all evidence and representations submitted, the Hearing Panel agreed with Greater Manchester Police and the Licensing and Out of Hours Compliance Team, about potential issues that may ensue, if the application was granted. The Hearing Panel also agreed that the licensing objectives could be undermined if the application for the TEN was granted.

Furthermore, the Hearing Panel noted that the from the representations made by the Premises representative, the Premises could still hold an event (a private function) and did not require a Temporary Event Notice to be granted.

The Hearing Panel agreed that the Application be refused, and a counter notice be served.

Decision

1. To refuse the application for a Temporary Event Notice for an event at the Queens Hotel, Sedgeford Road, Harpurhey, on 5 and 6 April 2024.
2. That a Counter Notice be served to the application.