



Licensing Sub Committee Hearing Panel

Date: Monday, 7 January 2019

Time: 10.00 am

Venue: The Council Antechamber, Level 2, Town Hall
Extension

Everyone is welcome to attend this committee meeting.

Access to the Council Antechamber

Public access to the Council Antechamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk. **There is no public access from the Lloyd Street entrances of the Extension.**

Membership of the Licensing Sub Committee Hearing Panel

Councillors – Grimshaw (Chair) Stone and Jeavons

Agenda

- 1. Urgent Business**
To consider any items which the Chair has agreed to have submitted as urgent.
- 2. Appeals**
To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.
- 3. Interests**
To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.
- 4. Application for a New Premises Licence for Sicilia Pizza, 116 Mauldeth Road, Manchester, M14 6SQ.**
The report of the Head of Planning, Building Control and Licencing will follow.
- 5. Application for a Premises Licence Variation for Sakana, Sakana, 23 Peter Street, Manchester, M2 5QJ.**
The report of the Head of Planning, Building Control and Licencing will follow.
- 6. Application for a New Premises Licence for Munch, 186 Stockport Road, Manchester, M13 9AB** 5 - 8
The report of the Head of Planning, Building Control and Licencing is attached.
- 7. Application for a New Premises Licence for Five Guys, University Green, 142 Oxford Road, Manchester, M13 9GP** 9 - 10
The report of the Head of Planning, Building Control and Licencing is attached.
- 8. Application for a Premises Licence Variation for Gorilla, 54-56 Whitworth Street West, Manchester, M1 5WW** 11 - 12
The report of the Head of Planning, Building Control and Licencing is attached.

Information about the Committee

The Licensing and Appeals Committee fulfills the functions of the Licensing Authority in relation to the licensing of taxi drivers.

A procedure has been agreed which governs how the Panel will consider such applications.

Decisions made by the Panel will be under delegated authority and will not require to be referred to the Council for approval. Meetings are controlled by the Chair, who is responsible for seeing that the business on the agenda is dealt with properly.

Copies of the agenda are published on the Council's website. Some additional copies are available at the meeting from the Governance Support Officer.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

Smoking is not allowed in Council buildings.

Joanne Roney OBE
Chief Executive
Level 3, Town Hall Extension,
Albert Square,
Manchester, M60 2LA

Further Information

For help, advice and information about this meeting please contact the Committee Officer:

Beth Morgan
Tel: 0161 234 3043
Email: b.morgan@manchester.gov.uk

This agenda was issued on **Friday 21 December 2018** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA

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Licensing Act 2003 (Hearings) Regulations 2005

Reference: 223045
Name: Munch
Address: 186 Stockport Road, Manchester, M13 9AB
Ward: Ardwick
Application Type: Premises Licence (new)
Name of Applicant: Munch MCR Ltd
Date of application: 20/11/2018

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted

Provision of late night refreshment:
Mon to Sun 11pm to 12 midnight

Opening hours:
Mon to Sun 11am to 12 midnight

Representations received

Greater Manchester Police	Grounds for objection - Prevention of Crime and Disorder, Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm
Licensing & Out of Hours Compliance	Grounds for objection - Public Nuisance

Agreements between parties

Note: Conditions 19 – 27 duplicate those also agreed with Licensing & Out of Hours

Greater Manchester Police:

1. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.
2. As a late night refreshment premises, custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.
3. CCTV has been installed both inside and directly outside the premises, notices stating that 24hr CCTV is in operation will be clearly displayed on the premises
4. We will liaise and work with the Grove Village Housing association and the local community policing officers to promote the interests of the community and support any crime prevention initiatives
5. All regulations and certifiable activities shall be appropriately monitored, observed and where necessary recorded. All records shall be and kept and be available for inspection as necessary. All staff shall be made aware of any public safety condition attached to the premises licence that requires the recording of such information.
6. Adequate access is provided for emergency vehicles.
7. All parts of the premises and all fittings and apparatus therein, door fastenings and notices and the seating, lighting, heating, electrical, ventilation, sanitary accommodation, washing facilities and other installations, will be maintained at all times in good order and in a safe condition.
8. Prominent, clear and legible notices will be displayed at all exits requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.
9. Deliveries of materials necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.
10. The Licensee will ensure that staff who arrive early morning or depart late at night when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.
11. Customers will be asked not to stand around talking in the street outside the premises; and asked to leave the vicinity quickly and quietly.
12. The movement of bins and rubbish outside the premises will be kept to a minimum after 10.00pm. This will help to reduce the levels of noise produced by the premises.
13. Bright lights on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.
14. Adequate waste receptacles for use by customers will be provided in the local vicinity.
15. We will regularly check on a daily basis the state of the outside of the premises and clear away any litter that may have been left by customers.
16. Large groups of children will not be allowed on the premises unless they are accompanied by an adult
17. Young children will need to be accompanied by an adult at all times
18. No unaccompanied children will be allowed on the premises in the evening time.

19. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
20. Notices shall be prominently displayed at the exit of the premises, requesting patrons to respect the needs of local residents and leave the area quietly.
21. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises is open to the public.
22. Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.
23. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 22:00 and 08:00 hours.
24. No deliveries must be made to the premises between the hours of 22:00 and 08:00 hours.
25. Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery/ collection address. This includes avoidance of slamming doors, playing loud music, shouting, over-revving engines and sounding horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the delivery/collection address and will park considerately without causing any obstruction to the highway.
26. Sufficient extraction and ventilation systems shall be installed and maintained at the premises. Any extraction and ventilation systems operating from the premises must not produce noise so as to unreasonably disturb local residents.
27. All orders are to be taken and dispatched from the premises prior to 00:00 closing.

Licensing & Out of Hours Compliance:

1. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
2. Notices shall be prominently displayed at the exit of the premises, requesting patrons to respect the needs of local residents and leave the area quietly.
3. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises is open to the public.
4. Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.
5. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 22:00 and 08:00 hours.
6. No deliveries must be made to the premises between the hours of 22:00 and 08:00 hours.
7. Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery/ collection address. This includes avoidance of slamming doors, playing loud music, shouting, over-revving engines and sounding horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the delivery/collection address and will park considerately without causing any obstruction to the highway.
8. Sufficient extraction and ventilation systems shall be installed and maintained at the premises. Any extraction and ventilation systems operating from the premises must not produce noise so as to unreasonably

disturb local residents.

9. All orders are to be taken and dispatched from the premises prior to 00:00 closing.

Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Original application form
- Representations made against application and respective agreements



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 223259
Name: Five Guys
Address: Unit 4, University Square, 142 Oxford Road,
 Manchester, M13 9GP
Ward: Hulme
Application Type: Premises Licence (new)
Name of Applicant: Five Guys JV Ltd
Date of application: 20/11/2018

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted

Provision of regulated entertainment (films, recorded music):

Sun to Wed 8am to 11.30pm

Thu to Sat 8am to 12.30am

Non Standard Timings: To terminate at 2.30am on New Year's Eve

Provision of late night refreshment:

Thu to Sat 11pm to Midnight

Non Standard Timings: To terminate at 2am on New Year's Eve

The supply of alcohol for consumption both on and off the premises:

Sun to Wed 11am to 11pm

Thu to Sat 11am to Midnight

Non Standard Timings: To terminate at 2am on New Year's Eve

Opening hours:

Sun to Wed 8am to 11.30pm

Thu to Sat 8am to 12.30am

Non Standard Timings: To terminate at 2.30am on New Year's Eve

Representations received	
Licensing & Out of Hours Compliance	Grounds for objection, risk of public nuisance, specifically noise nuisance and litter

Agreements between parties
<p>Licensing & Out of Hours Compliance:</p> <ol style="list-style-type: none"> 1. Open containers of alcohol shall not be permitted to be taken beyond the boundary of the licensed area; 2. No emptying of bins, deliveries or collection of waste will take place between the hours of 23:00 and 07:00; 3. Suitable and conspicuous notices shall be displayed at entrances and exits requesting patrons to minimise noise when smoking and / or leaving the premises; 4. Staff will conduct regular checks to ensure that glassware is not left unattended within the licensed area of the premises.

Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Original application form
- Representations made against application and respective agreements



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 223251
Name: Gorilla
Address: 54-56 Whitworth Street West, Manchester, M1 5WW
Ward: Deansgate
Application Type: Premises Licence variation
Name of Applicant: Zecol Limited
Date of application: 20/11/2018

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted

Supply of alcohol for consumption on the premises only:
 Current hours: Mon to Sat 10am to 4am, Sun 10am to 3am.
 Proposed hours: Mon to Fri 10am to 4am, Sat 9am to 4am, Sun 9am to 3am.

New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.
 On the day British Summer Time commences: One additional hour following the terminal hour.
 One additional hour on any day preceding a Bank Holiday.

Opening hours:
 Current hours: Mon to Sat 10am to 4.30am, Sun 10am to 3am.
 Proposed hours: Mon to Fri 10am to 4.30am, Sat 9am to 4.30am, Sun 9am to 3am.

New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.
 On the day British Summer Time commences: One additional hour following the terminal hour.
 One additional hour on any day preceding a Bank Holiday.

Representations received	
Licensing & Out of Hours Compliance	Risk of public nuisance caused by alcohol abuse and excessive drinking if customers are permitted to consume alcohol without a meal early in the morning.

Agreements between parties
<p>Licensing & Out of Hours Compliance:</p> <p>Between the hours of 09:00 and 10:00 on a Saturday and Sunday, the supply of alcohol shall only be to a person seated taking a table meal there and for consumption by such person as ancillary to their meal.</p>

Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Original application form
- Representations made against application and respective agreements