

Dear Sir / Madam

LICENSING ACT 2003 (Hearings) Regulations 2005

Notice of decision: Premises Licence (new)

Following the Licensing Sub-committee hearing on 12/04/2023, I write to formally advise you of the sub-committee's decision regarding:

Sam Off Licence
20a Swan Street
Manchester
M4 5JW

Decision: To refuse the application .

Reasons: The Committee considered carefully the content of the Report and the supplementary agenda as well as the oral representations of GMP. The Applicant did not attend the hearing and therefore made no oral representations to the Committee the Committee did however consider the content of the email sent by the applicants representative on his behalf. The Committee heard from GMP that on a visit on 13 March 2023 the Applicant was unaware of his responsibilities as an operator to prevent crime and disorder, the planned layout for the premises had not taken into account the prevention of crime and disorder licensing objective , no consideration had been given to use of Security staff during the later hours , he could not answer when asked how he would prevent drunk persons from entering the premises and he did not understand the concept of proxy sales. This gave GMP no confidence that the Applicant was able to operate the premises in a manner which would not undermine the licensing objectives. The Committee was very concerned that an Applicant was unaware of his basic responsibilities and did not understand the concept of proxy sales which all operators should be familiar with.

The Committee also noted that the content of the application did not take into account the nature of these premises. For example the Committee questioned the relevance of the condition keeping doors and windows closed . The Committee therefore considered it likely that the conditions have simply been copied from other licences without any real consideration and thought given to their implementation at the premises.

Therefore, in all the circumstances the Committee considered it appropriate to refuse the licence.

The holder of the premises licence may appeal any decision to:

- Refuse the application
- Impose conditions on the licence
- Exclude a licensable activity
- Refuse to nominate someone as a Designated Premises Supervisor
- Modify conditions attached to a licence (where the application is a variation)

Any person having made relevant representation against the application may appeal the decision if they believe that:

- The licence should not have been granted
- A licensable activity should have been excluded
- Different or additional conditions should have been attached by the Licensing Authority
- A Designated Premises Supervisor should not have been nominated
- The conditions attached to the licence should not have been modified or should have been modified in a different way (where the application is a variation)

Any appeal must be made to Manchester City Magistrates' Court, Crown Square, Manchester, M60 1PR (tel 0161 830 4200) and must be commenced within the period of 21 days beginning with the day on which you were notified by the licensing authority of the decision, as provided for in Section 181 of the Licensing Act 2003.

Please note, the licensing decision is separate from any planning decision; *the licensing decision does not confer planning consent*. Please ensure you have the proper planning consent before commencing trading.

Should you require any further information, please contact the undersigned.

Yours faithfully

Premises Licensing Team