

**Minutes of: LICENSING HEARING PANEL**

**Date of Meeting:** 31 March 2015

**Present:** Councillor (in the Chair)  
Councillors R Hodgkinson, D Jones and A Matthews

**Also in attendance:**

**Public Attendance:** No members of the public were present at the meeting.

**Apologies for Absence:**

---

**905 DECLARATIONS OF INTEREST**

No declarations of interest were made in relation to any items considered at the meeting

**906 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF 626 MANCHESTER ROAD, BURY**

Prior to the Hearing the authority received an application submitted by the Applicant. The application was for a Premises Licence under Part 3 of the Licensing Act 2003, for the supply of alcohol to the public.

The application was as detailed in the report which was presented to the Members of the Panel by the Licensing Manager.

All written representations were contained within the written submissions provided to the Panel.

All documentary evidence comprising the application, the report provided with the agenda and representations were served on all parties in advance of the hearing.

The Panel heard oral representations from the Applicant and t representative, the Applicant and from the landlord of the premises.

The Panel heard oral representations from the objectors present.

The Panel asked questions of the Applicant, his representative, the premises landlord and representatives of Greater Manchester Police. All parties were offered the opportunity to question the Premises User and vice versa. All parties were allowed the opportunity to sum up their respective cases.

The Panel then duly retired to consider the application and all of the information provided.

The Members of the Panel were advised by the Legal Officer as to their duties under Section 4 of the Licensing Act 2003 to at all times consider the promotion of the Licensing Objectives, these being:

- 1) the prevention of crime and disorder

- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

The Members were also advised of their duties in carrying out those functions in relation to:

- a) the Council's published Statement of Licensing Policy
- b) the Guidance issued by the Secretary of State as contained in section 182 of the Licensing Act 2003, which was updated in June 2013

In addition Members were advised to give appropriate weight to the steps that are appropriate to promote the licensing objectives and the representations presented by all parties.

The Panel also had regard to the European Convention on Human Rights and in particular that everyone has the right to peaceful enjoyment of his possessions, respect for his private and family life, his home and his correspondence. A fair balance between competing interests must be considered.

## **DECISION**

Having heard all the oral submissions and having considered all of the documentation before it, the Panel considered the merits of the case and in accordance with its duties decided as follows.

The evidence was considered with care and it was established that following the evidence of all parties, having understood the application and equally understanding the representations made, on balance the Panel found there were no causes for concern so far as the promotion of the four Licensing Objectives were concerned.

The Panel concluded that there had been no evidence of concerns in relation to the running of the premises and accepted the Section 20 Surrender document submitted by the Applicant.

In relation to the additional licensing conditions proposed by Greater Manchester Police, the Panel decided that these were unnecessary.

## **COUNCILLOR Chair**

**(Note: The meeting started at Time Not Specified and ended at Time Not Specified)**