

<b>REPORT FOR DECISION</b>
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<b>Agenda Item</b>	
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<b>DECISION OF:</b>	<b>LICENSING &amp; SAFETY PANEL</b>
<b>DATE:</b>	<b>12<sup>th</sup> OCTOBER 2016</b>
<b>SUBJECT:</b>	<b>OPERATIONAL REPORT</b>
<b>REPORT FROM:</b>	<b>ASSISTANT DIRECTOR (LOCALITIES)</b>
<b>CONTACT OFFICER:</b>	<b>M BRIDGE</b>
<b>TYPE OF DECISION:</b>	N/A – Report for information only
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is in the public domain
<b>SUMMARY:</b>	A report to advise members on operational issues within the licensing service.
<b>IMPLICATIONS:</b>	
<b>Wards Affected:</b>	N/A
<b>Scrutiny Interest:</b>	Internal Scrutiny Panel

**1.0 BACKGROUND**

1.1 The report advises Members on operational issues within the licensing service.

**2.0 DRIVER ASSESSMENTS**

2.1 Further to the last meeting of the Licensing and Safety Panel. The licensing service can confirm that the assessments are continuing to be undertaken by the adult learning team. From the 12<sup>th</sup> August 2016 until the 23<sup>rd</sup> September 2016 there has been 21 assessments carried out. Of the 21 assessments that were booked, 18 passed, 2 failed and 1 failed to attend.

**2.0 PREMISE LICENCE REVIEW**

2.1 A local resident, in their capacity as an interested party, submitted an application for a review of the Premises Licence in respect of Alt House, 1-3 Moss Lane, Prestwich. Representations were received by the Licensing Service from Greater Manchester Police in their capacity as a Responsible Authority and other interested parties during the representation period.

The members of the Panel considered the review application on the 24<sup>th</sup> August 2016 and resolved to reduce the timings on the premises licence by one hour and to impose the following conditions:

- None of the outside areas to the premises to include the rear car park are to be used for licensable activities or for the consumption of alcohol after 19.30 hrs daily.
- An effective noise limiting device approved in writing by the Council (which shall so far as possible be tamper-proof) shall be installed and operated in the premises and all noise levels shall be agreed and set to the written satisfaction of the Council. Whenever regulated entertainment is taking place, all amplified music (whether live or recorded) and associated sources (e.g. DJ's and amplified voices/amplified instruments) are to be connected to this noise limiting device.
- That reasonable sound proofing measures be taken within the premises to the satisfaction of the council to prevent the playing of live/recorded music disturbing residents within the vicinity of the premises.

### 3.0 **OUTCOME OF APPEAL**

Members will recall giving consideration to the review applications in respect of Bellini and La Capannina submitted by Greater Manchester Police in which they revoked both licences. Appeals were submitted to the Magistrates Court for consideration. The premises licence in respect of Bellini lapsed due to the company going into liquidation, however a new premises licence has been granted in the name of San Leonardo's.

On the 20<sup>th</sup> September 2016, both matters were considered and the appeal in respect of Bellini's was dismissed due to the matter above.

The appeal in respect of La Capannina was considered by the Magistrates and it was decided to allow the appeal and the conditions on the premises licence were modified by consent and costs were awarded to the Licensing Authority in the sum of £5000.

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