

REPORT FOR DECISION

Agenda Item	
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DECISION OF:	LICENSING & SAFETY PANEL
DATE:	11TH JANUARY 2018
SUBJECT:	OPERATIONAL REPORT
REPORT FROM:	ASSISTANT DIRECTOR (LOCALITIES)
CONTACT OFFICER:	M BRIDGE
TYPE OF DECISION:	N/A – Report for information only
FREEDOM OF INFORMATION/STATUS:	This paper is in the public domain
SUMMARY:	A report to advise members on operational issues within the licensing service.
IMPLICATIONS:	
Wards Affected:	N/A
Scrutiny Interest:	Internal Scrutiny Panel

1.0 BACKGROUND

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

2.0 PRE-APPLICATION 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 10th November 2017 until the 8th December 2017 there has been 8 assessments carried out. Of the 8 assessments that were booked, 6 passed, 2 failed and none failed to attend.

3.0 Licensing Hearing Panels – 6th December 2017

3.1 Wellington Hotel, 338 Bolton Road, Bury.

The Licensing Service received an application to vary the Designated Premises Supervisor in respect of Wellington Hotel, 338 Bolton Road, Bury.

Greater Manchester Police, in their capacity as a Responsible Authority, gave notice that they were satisfied that the exceptional circumstances of the case are such that granting the application would undermine the crime prevention objective.

The members of the Panel considered the application to vary the designated premises supervisor and resolved to reject the application.

3.2 The White Rooms, 254 Bury New Road, Whitefield M45 8QN

The Licensing Service received an application to review the premises licence in respect of The White Rooms, 254 Bury New Road, Whitefield M45 8QN from Greater Manchester Police in their capacity as 'Responsible Authority'

Two interested parties also made representations in respect of the application.

The Panel having read the bundle of evidence in its entirety, having heard all the oral submissions and having considered all of the documentation before it considered the merits of the case.

The Panel took note of the agreement between Greater Manchester Police and Mr. Barnes and his representative. Their discussions had concluded with an agreement that:

1. The current Premises Licence holders, Barnsyard Limited will not re-open at this location, 254-258 Bury New Road, Whitefield.
2. Jamie-Leigh Morrison will no longer be the Designated Premises Supervisor
3. Licensable Activities will stop at 11.30pm and the premises should close 30 minutes after licensable activity has ceased.
4. Mr. Desmond Barnes, Mr Bradley Barnes and his representative accept the concerns of Greater Manchester Police and that incidents have occurred.
5. The evidence of Greater Manchester Police is accepted by Mr, Desmond Barnes, Mr Bradley Barnes and Barnsyard Limited.

The Reason for the variation of conditions was in keeping with the licensing objectives; to prevent crime and disorder, to prevent public nuisance and ensure public safety.

The Panel therefore considered it reasonable, balanced, appropriate and proportionate, based on all of the evidence, to vary the conditions as detailed at 1-5 above, and **Not revoke the Premises Licence.**

3.3 Jason's Mini Mart 36 Albion Street, Bury

The Licensing Service received an application to transfer the premises licence and vary the Designated Premises Supervisor in respect of Jason's Mini Mart, 36 Albion Street, Bury.

Greater Manchester Police, in their capacity as a Responsible Authority, gave notice that they were satisfied that the exceptional circumstances of the case are such that granting the application would undermine the crime prevention objective.

The members of the Panel considered the applications to refuse both applications.

4.0 Appeal to Magistrates

4.1 Following a decision of the Licensing and Safety Panel on the 27 July 2017, where a private hire driver licence was revoked with immediate effect for failing to maintain his vehicle over a 2 year period.

The driver appealed the Council's decision to Manchester and Salford Magistrates Court. The matter was heard on the 29th November 2017 and the Magistrates decided to dismiss the appeal. The Council were also granted the costs of £1570.

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