Minutes of:	**LICENSING HEARING SUB COMMITTEE**
Date of Meeting:	25 April 2022
Present:	Councillor T Holt (in the Chair) Councillors G McGill and Y Wright
Also in attendance:	J. Witkowski (Legal) L. Jones (Licensing) M. Cunliffe (Democratic Services) Mr A Khalid (Applicant) Mr T Dale (Applicants Representative)
Public Attendance:	The Hearing was held virtually and interested members of the public were provided with a link to access the hearing online via Microsoft Teams or could be telephoned into the meeting via audio only. No members of the public were in virtual attendance.

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1 APOLOGIES FOR ABSENCE

There were no apologies for absence submitted.

2 DECLARATIONS OF INTEREST

There were no declarations of interest made.

3 MINUTES OF THE LAST MEETING(S)

The minutes of the last Licensing Hearing Panel(s) held virtually at 11.00am on the 22nd March 2022 and 10.30am on the 29th March 2022 were attached to the agenda.

Resolved:- That the minutes of the Licensing Hearing Sub Committee(s) held virtually at 11.00am on the 22nd March 2022 and 10.30am on the 29th March 2022 be approved as a correct record.

4 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF DIXY CHICKEN, 41 BLACKBURN STREET, RADCLIFFE, M26 1NR

The Licensing Authority received an application for a Premises Licence for the provision of late night refreshment to be granted under the Licensing Act 2003 in relation to Dixy Chicken, 41 Blackburn Street, Radcliffe, M26 1NR.

No representations had been received from a Responsible Authority but one (1) had been received from an interested party, namely a member of the public.

The Applicant in respect of the licence for the above premises is Adeel Khalid.

The Applicant had complied with all the necessary procedural requirements laid down by the Act.

Representations were received within the appropriate period by the Licensing Authority from the one interested party.

The representation was contained within the written submissions provided in the report to the Sub-Committee.

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

The operating schedule was as follows:

Late Night Refreshment – Indoors and Outdoors

Monday to Sunday	23:00 to 01:00

Hours open to the Public

Monday to Sunday	11:00 to 01:00

The conditions contained in the operating schedule submitted by the Applicant were contained at Appendix 1 of the report.

The Licensing Officer presented the report and noted that Appendix 2 of the agenda pack contained information in relation to the interested party who had made a representation to this application, although they were not in attendance at the meeting.

It was reported that an additional document had been circulated to Members of the panel prior to the hearing from Mr Tony Dales who was representing the Applicant. This contained a due diligence folder to be stored in the take away, a refusals log book and details of the granted planning permission for the premises.

Mr Dales then provided the meeting with an overview of the business which supported the 4 licensing objectives. He stated that the store had been open for 12 months and there had been no reported complaints or problems in the past year and that there was no evidence to suggest an extension in the opening times would cause any new issues. He went on the explain that staff would also be trained by him to deal with customers which included completion of a refusals register, signs would also be displayed at exit points to the premises requesting that noise levels be kept to a minimum, daily litter clearances would be in operation and a zero tolerance policy on drugs and drinking. He pointed out that no representations had been made by the responsible authorities.

Mr Khalid added that the licence would make his business more competitive in line with other take aways in the local area and he would listen to any community concerns. He added that no complaints or other issues had been reported in the past 12 months.

All parties were invited to sum up.

The Sub-Committee then duly retired to consider the application.

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:

a) the prevention of crime and disorder

b) public safety
c) the prevention of public nuisance
d) 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 April 2018

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

Delegated decision

All of the evidence was considered with care, and it was established that having understood the application and equally noting and understanding the representation and assurances made by the Applicant and his representative, the Sub-Committee found there were no causes for concern so far as the promotion of the licensing objectives were concerned.

It was therefore agreed unanimously, that the Sub- Committee grant the application for the Premises Licence, subject to the conditions in Appendix 1 of the report, which were contained in the Applicants operating schedule for the premises, namely:-

The Prevention of Crime and Disorder

The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:
(a) all crimes reported to the venue, or by the venue to the Police
(b) all ejections of patrons
(c) any incidents of disorder

Staff shall be trained to deal with challenging customers and customers who are under the influence of intoxicants. This training shall be repeated at no greater than 6 monthly intervals. There will be a zero tolerance to Drugs, appropriate notices will be displayed

Public Safety

The premises will be set up to ensure customer safety.
CCTV cameras will be in pace to protect both staff and customers.

The Prevention of Public Nuisance

Customers will be encouraged to keep noise to a minimum when leaving the premises. Notices will be displayed

Deliveries will be organised in such a manner as to ensure the minimum practical disturbance caused. As per the planning condition if applicable, otherwise deliveries shall take place between the hours of 07:00 and 18:00 hours Monday to Friday and between 08:30 and 18:00 hours on Saturdays. Not at all on Sundays or Bank Holidays.

The Protection of Children from Harm

Whilst there is no alcohol being provided, staff will be trained to look out for vulnerable young persons and to understand what action can be taken

COUNCILLOR T HOLT
Chair

(Note: The meeting started at 1.00pm and ended at 1.23pm)