

Minutes of: LICENSING HEARING SUB COMMITTEE

Date of Meeting: 8th July 2025

Present: Councillor I Rizvi (in the Chair)
Councillors A Booth and D Green

Also in attendance: L. Bell (Licensing Unit)
M. Bridge (Licensing Unit)
M. Cunliffe (Democratic Services)
R. Thorpe (Legal Services)

K. Luleme & A. Hasam (On behalf of the Applicant)
PC P. Eccleston- GMP (Representor).
C. Gee- Bury Times (Press)

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.

1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by B. Thomson (Assistant Director of Operations Strategy).

2 DECLARATIONS OF INTEREST

There were no declarations of interest made.
However, Councillor Green placed on record that she was a substitute representative on the Planning Control Committee held on the 24th June which deferred a planning application at this location to allow a site visit to take place.

3 OBJECTION NOTICE BEING RECEIVED FROM GREATER MANCHESTER POLICE OR ENVIRONMENTAL HEALTH IN RESPECT OF A TEMPORARY EVENT NOTICE

The Licensing Unit Manager presented a report relating to an objection notice being given to the Licensing Authority, by Greater Manchester Police pursuant to section 104(2) of the Licensing Act 2003, in respect of a proposed temporary event to be held at 65 Windsor Road Prestwich, M25 0DB between the hours of 20.30 to 03.00 hours on the 17th July 2025 until 20th July 2025.

The Temporary Event Notice has been given by Ervis Shkuti, 86 Devonshire Square, Salford, M7 4AD.

Greater Manchester Police, in their capacity as a Responsible Authority, would give their reasons for their representation in respect of the Temporary Event Notice were they are satisfied that the representation would undermine the Prevention of Crime and Disorder. Representation was attached at appendix 1 in the agenda packs.

The Secretary of State Guidance issued under section 182 of Licensing Act 2003 was included in the agenda packs.

After hearing the evidence representation and evidence presented, Members are obliged to determine the application with a view to promoting the licensing objectives and having regard to the Authority's Licensing Policy and National Guidance.

The Sub-Committee heard oral representations on behalf of the applicant from Ms Konstantina Luleme. She explained the application was for extra hours to cater for the Oasis concerts taking place at Heaton Park and could not understand objections to the application as a previous one had been sought for trading until 11.00pm. The Licensing Unit Manager stated an application between the 11th to 15th July had been withdrawn which was a late TEN and a further Late TEN was received and GMP made representations, therefore a counter notice was issued.

Ms Luleme explained they were a new business in the area and wanted to grow and the concerts would help this. The venue would not make problems in the local neighbourhood and they would do their best. They were willing to not have any music playing after 9.00pm and would welcome the opportunity to try the extra hours. Plastic cups would be used instead of glassware and drunk people would not be served alcohol. The landlord of the building had turned the air conditioning unit and would also place a blanket on top of the canopy area off to limit noise.

A Member asked how many staff would be working during the concert days and it was reported around 5 people would be present as opposed to the usual 2 staff. The Licensing Unit Manager read out some of the proposed conditions submitted which were contained within the application form.

The Chair enquired what steps would be in place to avoid issues of anti-social behaviour. Ms Luleme stated they were thinking of having security on site.

A Member asked what assurance could be provided for security to be provided when this element had not been submitted on the application.

Mr A. Hasam (The landlord of the property) then joined the virtual meeting to aid Ms Luleme with her submissions in case of any translation problems. He explained she did not understand the application and to mention these extra procedures but 2 or more security staff can be on duty.

A Member asked how many customers the café can accommodate. Ms Luleme reported the number of tables inside and this would be around 27 with a sofa taking the total number to 30.

Upon questioning of the application by the Licensing Unit Manager, Mr Hasam explained Ms Luleme had completed the form via an agent and the notice giver had signed it. He also added that only yesterday the agent had informed them that they would not be representing them at the hearing.

A Member asked why a 3.00am licence was required when the concerts end at 11.00pm. This was a misunderstanding on behalf of Ms Luleme who had seen the road information signs and was happy to be open until midnight or 1.00am at the latest.

The Sub-Committee then heard formal representations from Greater Manchester Police via PC Peter Eccleston and these related to concerns preventing crime and disorder, public safety, public nuisance along with protecting children from harm.

During the dates and times requested, Heaton Park hosts five Oasis concerts with just under 80,000 people attending per day on the 11th, 12th, 16th, 19th and 20th July 2025. Those attending the concerts, are coming from all over the country and are not necessarily familiar with the local area and therefore it is anticipated that a high proportion will be utilising public transport links such as the Metrolink, bus services as well as taxi services including private hire vehicles to get to and from the events.

Heaton Park and the surrounding areas see a huge increase in footfall over the course of the 5 days and this doesn't include those who will be likely to attend the park who don't have a ticket to gain entry. New Eagle Coffee Bar, is not only within close proximity to Heaton Park itself, but also very close to the Bowker Vale Metrolink station.

Previously, the premises has submitted a Temporary Events Notice from the 11th to the 15th July 2025 to extend their closing time and alcohol sales by 2hrs from 21:00hrs to 23:00hrs. GMP had previously requested door supervisors be employed to help manage those attending the premises who are most likely already feeling the effects of alcohol. This request was refused by the Premises License Holder/DPS and since then, that TEN was withdrawn and two new notices have been submitted however on this occasion, the request is to extend the premises opening hours and alcohol sales by 6 hours, meaning that if granted, they would not close until 3am.

One of the TENS was submitted late and therefore GMP has already made representations to the Licensing Authority. Like the other TEN, there is no mention whatsoever as to how the much-anticipated increase in footfall and visits to the premises will be managed. Not only is there likely to be a sharp increase in customers before the event it is highly likely that there will be an increase level of custom after the event considering that they are requesting a 3am close the premises is close to one of the main transport links to and from Heaton Park.

Greater Manchester Police understands that this is probably the biggest music event Manchester has seen for a number of years and we understand that the hospitality industry is not what it used to be so businesses are trying to capitalise on that in order to try and make a profit however that should not be at the expense of public safety, annoyance of local residents and the most likely increase in crime and disorder. Unfortunately, the premises have not provided details as to how those attending the premises will be managed. There is no detail as to whether SIA registered door supervisors will be employed to manage those in attendance. GMP are of the opinion that the removal of seating outside and the decanting of alcohol into plastic glasses would not be sufficient to prevent potential incidents of crime and disorder which is likely to occur given those attending the premises both before and especially after, the events in Heaton Park will already be feeling the effects of alcohol.

The premises is situated in a mainly residential area and with the increase in footfall in and out of the premises and the lack of staff to manage those customers, there are concerns that this is likely to result in increased complaints from local residents as there is no mention of how ingress and egress will be managed, or how customers will be prevented from utilising outside areas at late hour resulting in annoyance being caused well into the early hours of the morning. Furthermore, there is the impact of parking and vehicles coming and going from the premises.

Although there are a number of GMP resources assigned to the Oasis concerts, their primary function will public safety in and around Heaton Park including both ingress and egress from the park itself. Should an incident occur at the premises GMP cannot guarantee that there will be available resources to attend and considering the premises is requesting an extension to the opening hours vastly exceeding all the other licensed premises in the near vicinity there is

no requirement for police resources to be retained on duty once egress from Heaton Park has been completed.

A number of other suggestions and further information was submitted by GMP and included within 1 of the agenda pack.

A Member asked what time the police expect people to arrive for the concerts and then clear the area afterwards. PC Eccleston reported gates open after 2.00pm with peak entry estimated around 5.30pm and 80,000 attendees leaving around 10.30pm.

Mr Hasam questioned why Nisa Local could stay open late during Parklife and they would comply with timings and welcome families. He added they were happy to abide by the same opening hours of the local shops.

The Sub-Committee heard no other representations.

All parties were offered the opportunity to question the applicant and representor and vice versa. All parties were allowed the opportunity to sum up their respective cases.

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

The Members of the Panel were advised by the Legal representative 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, (December 2022 – updated 12 January 2023)

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

The Sub-Committee considered the Licensing Act 2003, regulations made thereunder, the Secretary of State's Guidance, issued under section 182 of the 2003 Act, and the Council's own Licensing Policy. The Sub-Committee also considered the Temporary Event Notice, the written objections from Greater Manchester Police and the oral representations from representatives of the Notice Giver, the Licensing Authority and from GMP.

Having considered all of the evidence with care, it was established that, having understood the application and equally noting and understanding the representations and assurances made by the applicant and for the premises, the Sub-Committee found there were causes for concern so far as the promotion of the licensing objectives.

The Notice Giver had not provided sufficient detail or submissions and the Sub-Committee was not satisfied that the Licensing Objective, in particular the Prevention of Crime and Disorder and Public Safety would not be imperilled if the Temporary Event were to proceed.

The Sub-Committee were deeply concerned about the staffing management responsibilities at the venue with the expected crowds attending the nearby event. Keeping the general public safe could not be guaranteed.

The Notice Giver had provided limited explanation of how the Licensing Objectives would be promoted during the proposed Temporary Event and, considering the Temporary Event itself and the wider context set out in evidence, the Sub-Committee was not satisfied that the Licensing Objective, in particular the Prevention of Crime and Disorder, but also the Protection of Public Safety, public nuisance along with protecting children from harm could not be imperilled if the Temporary Event were to proceed.

It was, therefore, agreed unanimously, **that the Sub- Committee give a counter notice to the Temporary Event Notice** giver pursuant to section 105(2)(b) of the Licensing Act 2003, the Local Authority considering this necessary for the promotion of the Licensing Objectives – (preventing the event from taking place).

The Sub-Committee chair advised that the venue should consider using plastic cups and have door security at the venue during their normal opening hours when the concerts take place.

COUNCILLOR IRIZVI
Chair

(Note: The meeting started at 1.30pm and ended at 3.10pm)

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