

LICENSING, ENVIRONMENT & SAFETY SUB-COMMITTEE A

Meeting: 1 September 2020

At: 6.22 pm

PRESENT

Councillor Chris Gordon (Chair) in the chair; Councillors Dickie Davies and Alanna Vine.

1. MINUTES

The Minutes of the meeting held on 20 February 2020 (copies of which had been circulated) were approved as a correct record.

2. DECLARATIONS OF INTEREST

Councillors and officers were invited to declare any interests which they had in any of the items on the agenda for the meeting.

No declarations were made.

3. PUBLIC QUESTION TIME

No public questions were submitted.

4. LICENSING ACT 2003: APPLICATION FOR A NEW PREMISES LICENCE AT 41 CASTLE STREET, EDGELEY

The Chair reported that the applicant had failed to attend the meeting and requested that the Sub-Committee give consideration to the adjournment of proceedings to allow the applicant the opportunity to attend and present their application and respond to questions from both the Sub-Committee and interested parties.

5. ADJOURNMENT

At 6.25 pm it was

RESOLVED – That the meeting be adjourned until 6.00 pm on Thursday, 3 September 2020.

The meeting reconvened at 6.00 pm on Thursday, 3 September 2020.

6. LICENSING ACT 2003: APPLICATION FOR A NEW PREMISES LICENCE AT 41 CASTLE STREET, EDGELEY (continued)

A representative of the Corporate Director for Place Management & Regeneration submitted a report (copies of which had been circulated) detailing an application received on behalf of Edgeley Local Ltd for a new premises licence to be granted under the Licensing Act 2003 at 41 Castle Street, Edgeley to permit the supply of alcohol off the premise from Monday to Sunday between 08:00 and 23:00 hours.

The applicant attended the meeting and answered Councillors' questions in relation to the application. Three objectors to the proposal, including a representative of Greater Manchester Police who, having previously submitted written representations in relation to this application, also attended the meeting, explained their objections to the proposals and answered Councillors' questions in relation to the application.

The Sub-Committee, having heard the interested parties, proceeded to consider the licensing objectives in respect of the application, together with the relevant parts of the Council's Licensing Policy and the guidance from the Department for Digital, Culture, Media and Sport. However, the decision was reached on consideration of all the arguments given in relation to this specific application.

The Sub-Committee found the following:-

(i) Crime and Disorder

The Sub-Committee was satisfied that relevant representations had been raised in respect of this licensing objective, specifically the representations asserted that the granting of the licence would exacerbate existing issues of ongoing crime and disorder associated with the operation of existing licensed premises in the area.

(ii) Protection of Children

The Sub-Committee was satisfied that no relevant representations had been raised in respect of this licensing objective.

(iii) Public Safety

The Sub-Committee was satisfied that no relevant representations had been raised in respect of this licensing objective.

(iv) Public Nuisance

The Sub-Committee was satisfied that relevant representations had been raised in respect of this licensing objective, specifically that the granting of the licence would exacerbate existing levels of anti-social behaviour being experienced in the locality associated with the consumption and availability of alcohol from nearby licensed premises.

The Sub-Committee also noted a further objection with regard to the concentration of licensed premises on Castle Street, but in the absence of a cumulative impact assessment having been undertaken to control the number of licensed premises in any given locality, it was not able to attach significant weight to such an objection.

The Sub-Committee noted that the owner of 41-43 Castle Street also operated a further licensed premises at 18 Castle Street that was the subject of acts of criminal damage and threats of damage, along with another existing licensed premises on Castle Street. The Sub-Committee heard representations from Greater Manchester Police that the owners of the two rival businesses were in dispute over product pricing, and that tensions had escalated since the ownership of the premises subject of this application had been

confirmed. There had been a significant increase in reported crimes in respect of these two particular premises alone.

The Sub-Committee considered the nature of the objections relating to anti-social behaviour and incidents of criminal damage, but it was also noted that the assertions in relation to any responsibility for the criminal damage were uncorroborated and there was no evidence presented to the Sub-Committee that attributed this to any party to the application. Moreover, no evidence was provided that directly linked acts of anti-social behaviour to the sale of alcohol from any specific premises in the locality.

The Sub-Committee also noted with approval the content of the applicant's operating schedule in relation to these licensing objectives, specifically in relation to CCTV, asking customers not to loiter outside the premises and clearing litter.

While the Sub-Committee had great sympathy with the concerns expressed by the objectors the Sub-Committee also needed to be mindful of the setting of the premises, being within a busy district centre location and adjacent to a number of premises with similar or associated uses.

The Sub-Committee was therefore of the view that there were no further conditions that were both necessary and appropriate in order to address the prevention of crime and disorder and prevention of public nuisance licensing objectives.

It was then

RESOLVED – (1) That approval be given to the hours for the supply of alcohol off the premises, Monday to Sunday from 08.00 hours to 23.00 hours.

(2) That approval be given to the imposition of those conditions proposed by the applicant as part of the original application to appear on the premises licence in addition to the mandatory conditions.

The meeting closed at 7.28 pm