

LICENSING, ENVIRONMENT & SAFETY SUB-COMMITTEE A

Meeting: 14 February 2023

At: 6.00 pm

PRESENT

Councillor Alanna Vine (Chair) in the chair; Councillors Dickie Davies and Dean Fitzpatrick.

1. MINUTES

The minutes (copies of which had been circulated) of the meetings held on 21 December 2022 and 20 January 2023 were approved as correct record and signed by the Chair.

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. EXCLUSION OF THE PUBLIC AND PUBLIC INTEREST TEST

RESOLVED - That the press and public be excluded for the following item as exempt by virtue of Paragraphs 1 and 2 of Part 1 of Schedule 12a of the Local Government Act 1972 as containing information relating to any individual person and information which is likely to reveal the identity of an individual:

agenda item 5 – application for a summary review of the premises license at Loona, 22c Station Road, Cheadle Hulme, Stockport, SK8 7AB.

5. APPLICATION FOR A SUMMARY REVIEW OF THE PREMISES LICENCE AT LOONA, 22C STATION ROAD, CHEADLE HULME, STOCKPORT, SK8 7AB

A representative of the Director for Place Management submitted a report (copies of which had been circulated) detailing an application from Greater Manchester Police for a summary review of the Premises Licence (under Section 53A of the Licensing Act 2003) at Loona, 22c Station Road, Cheadle Hulme, Stockport, SK8 7AB.

Representatives from Greater Manchester Police attended the meeting and answered questions in relation to the application.

The Premises Licence Holder and a representative also attended the meeting and answered questions in relation to the application.

Additional evidence (CCTV footage) was submitted at the meeting. The interested parties agreed that the additional evidence be presented to and considered by the Sub Committee.

The Sub Committee, having heard the interested parties, proceeded to consider the promotion of public safety and the protection of children from harm licensing objectives in respect of the application, together with the relevant parts of the council's Licensing Policy.

The decision was then reached on consideration of all arguments given in relation to this specific application.

It was then

RESOLVED – That having heard the application for a summary review of the Premises Licence at Loona, 22c Station Road, Cheadle Hulme, Stockport, SK8 7AB made by Greater Manchester Police, and having considered all the evidence presented, the Sub Committee was satisfied that the premises had demonstrated its inability to satisfactorily comply with the promotion of public safety and the protection of children from harm licensing objectives on the following grounds:

- The sale of alcohol to underage people and repeated failures to undertake ID checks in line with 'Challenge 25' policy.
- A failure to record any refusals, and failure to hold a refusals register.
- A failure to provide effective management and training of staff on the premises in respect of age verification.

The Sub Committee was of the view that there had been significant and repeated failures by the premises to comply with the conditions of the licence, which demonstrated a sustained disregard for the licensing objectives. On the evidence before them, the Sub Committee had no confidence that the management could run the premises responsibly and in accordance with the conditions of the licence.

In arriving at this view, the Sub Committee considered the evidence included within the application for the review of the Premises Licence submitted by Greater Manchester Police, and balanced this against the oral evidence submitted by the Premises Licence Holder.

The Sub Committee was therefore satisfied that the actions of the Premises Licence Holder had undermined the promotion of public safety and the protection of children from harm licensing objectives.

The Sub Committee noted the Premises Licence Holder's offer of suspending the licence for a period of 3 months and/ or the replacing of the Designated Premises Supervisor. However, the Sub Committee was of the view that neither of these options, nor the imposition of further conditions would ameliorate the concerns expressed by Greater Manchester Police during the hearing, and accordingly it was determined that it was reasonable, balanced, appropriate and proportionate based on all the evidence for the Premises Licence to be revoked.

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Following this determination, the Sub Committee undertook a review of the interim steps in place, namely, suspension of the Premises Licence, to consider whether it was appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn. The Sub Committee considered the relevant representations made, and determined that the Premises Licence should remain suspended (until their substantive review decision takes effect).

The meeting closed at 8.25 pm