

LICENSING SUB-COMMITTEE

22 AUGUST 2019

PRESENT

Councillor A. Duffield (in the Chair),
Councillors D. Butt and S. Thomas.

In attendance

J. Spence	Solicitor,
K. Hinchliffe	Senior Licensing Officer,
A. Haddad	Licensing Officer,
R. Worsley	Democratic and Scrutiny Officer.

4. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - MY INDIA STREET FOOD LIMITED

The Head of Regulatory Services submitted a report informing Members of an application for the grant of a premises licence for My India Street Food Limited, 3-5 Barton Road, Stretford M32 9FA which had attracted representations from Environmental Protection, Trafford Council and local residents against the grant of a licence.

All parties present at the hearing were invited to address the Sub-Committee.

Representations were made in support of the application by Mr G. Singh, the applicant. Representations were made against the application by Mrs Hall, Environmental Health Officer and Mrs Ainsworth, Local Resident.

RESOLVED –

- (1) That the application by Mr. Singh for a grant of a premises licence for My India Street Food Limited be granted subject to compliance with the conditions outlined in the decision notice.
- (2) That the issue of the Licence be delegated to the Head of Regulatory Services.

LICENSING SUB-COMMITTEE DECISION NOTICE

Sub Committee Members: Councillor A Duffield (Chairperson)
Councillor S Thomas
Councillor D Butt

Applicant: Mr G Singh – My India Street Food Limited

Type of Licence: Grant of a Premises Licence: My India Street Food Ltd.
3-5 Barton Road Stretford M32 9FA

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Representors: Local Residents
Mrs L Ainsworth – in attendance
Mrs H Osborne – not in attendance

Environmental Protection – in attendance
Mrs R Hall – Environmental Health Officer

Parties Present: On behalf of the Applicant – in attendance
Mr G Singh – Applicant

Officers
Jovane Spence – Solicitor
Keiran Hinchliffe – Senior Licensing Officer
Anna Haddad – Licensing Officer
Ruth Worsley – Democratic and Scrutiny Officer

Date of Hearing: Thursday 22 August 2019
Time Commence: 6.30 p.m.
Time Terminated: 8.00 p.m.

LICENSING SUB-COMMITTEE DECISION

The Sub-Committee decided that the representations received from local residents and Environmental Services are relevant representations.

To grant a premises licence for My India Street Food Limited as follows:-

Licensable Activities

Supply of Alcohol

Monday to Thursday	11:00 hrs to 20:00 hrs
Friday and Saturday	11:00 hrs to 22:00 hrs
Sunday	11:00 hrs to 20:00 hrs

Premises Opening Hours

Monday to Thursday	11:00 hrs to 20:00 hrs
Friday and Saturday	11:00 hrs to 22:00 hrs
Sunday	11:00 hrs to 20:00 hrs

Conditions

Any mandatory conditions which must be included under the Licensing Act 2003.

Additional Conditions

The premises shall install and maintain a CCTV system in a secure part of the licensed premises and in accordance with the minimum requirements of the Police Licensing Officer. All entry and exit points in the premises will be covered enabling facial recognition to an evidential standard.

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The CCTV system shall continually record and be fully operational whilst the premise is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored and kept available and unedited for a minimum of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the 31 day period in accordance with the Data Protection Act 2018.

There should be a staff member on the premises who is trained and capable with the operation of the CCTV at all times whilst the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

Any footage must be in a format that 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.

There will be notices displayed throughout the premises stating that CCTV is in operation.

There shall be no self-service of alcohol on the premises.

All alcohol consumed at the premises shall only be by customers who are seated.

The supply of alcohol shall only be by waiter or waitress service or via a counter sale whereby customers will be seated immediately after making their purchase.

An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the Police, which will record the following:

- a) all crimes reported to the venue;
- b) all ejections of patrons;
- c) any complaints received;
- d) any incidents of disorder;
- e) seizure of drugs or offensive weapons;
- f) any faults in the CCTV system or searching equipment or scanning equipment;
- g) any refusal of the sale of alcohol;
- h) any visit by a relevant authority or emergency service.

The supply of alcohol (on-sales) shall only be to persons taking table meals for consumption by such persons as ancillary to their meal.

All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a takeaway meal.

Alcohol shall not be sold to diners who appear drunk.

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A proof of age scheme, such as Challenge 25 shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.

LICENSING SUB-COMMITTEE'S REASONS FOR REACHING ITS DECISION

The Sub-Committee considered the Licensing Act 2003 and regulations, the Guidance and the Council's Licensing Policy and the application.

The Sub-Committee considered the representations received from Environmental Protection and the context of the relevance of planning permission concerns in a licensing application.

The Sub-Committee also considered the representation received from a local resident.

The Sub-Committee carefully considered the concerns raised regarding public nuisance and balanced those concerns with the interests of the applicant and the licensing objectives.

The Sub-Committee considered the impact of the licensing hours requested by the Applicant on the immediate neighbours of the premises; including increased traffic, disturbance, waste and the consumption of alcohol.

The Applicant during its submission highlighted the licensable hours applied for was not reflective of the business needs. The Applicant (after briefly discussing opening hours with an objecting member of the public) determined that the closing hours of 20:00 Sunday to Thursday and 22:00 hours Friday and Saturday were the preferred licensable hours.

The Sub-Committee determined that the Applicant had been reasonable and considerate in its revision of hours to limit public nuisance and disturbance; the Sub-Committee determined that the new proposed, reduced licensable hours by the Applicant would be appropriate.

The meeting commenced at 6.30 pm and finished at 8.00 pm