

LICENSING SUB-COMMITTEE

23 JUNE 2020

PRESENT

Councillor A. Duffield (in the Chair).
Councillors D. Jarman (Vice-Chair) and D. Butt

In attendance

E. Sharples	Solicitor,
K. Hinchliffe	Senior Licensing Officer,
R. Worsley	Governance Officer.

11. APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE UNDER S17 LICENSING ACT 2003 AT 67 AYRES ROAD, STRETFORD M16 7GP

The Head of Regulatory Services submitted a report informing Members of an application for the grant of a premises licence for Imperial 21 Joya Limited, 67 Ayres Road, Stretford which had attracted representations from local residents.

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

Representations were made in support of the application by the applicant Mr. A. Gregson from Hospitality Training Solutions Limited and Mr M. Chen. Representations were made against the application by Mr Salim on behalf of a local resident Mr Huzaifah.

RESOLVED –

- (1) That the application by Mr. A. Gregson for the grant of a premises licence for Imperial 21 Joya Limited, 67 Ayres Road, Stretford 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 D Jarman
Councillor D Butt

Applicant: Mr. A. Gregson, Hospitality Training Solutions Ltd

Type of Licence: Grant of a Premises Licence: Imperial 21 Joya Limited, 67 Ayres Road, Stretford M16 7GP

Representors: Local Residents – not in attendance

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Mr K Almalki
Mr M Kholwadia
Mr N Kothdiwala
Mr Z Seedat
Mr R Dawood
Mr S Hajee
Mr M Motala
Mr A Motala
S Motala
R Chunara
F Chunara
S Bhamjee
S Chothia
Z Badat
S Hasta
Y Akujee
Mr A Patel
S Laher
A Akujee
A Kothdiwala
Y Akujee
J A Ahamed
A Nagdee
T Ahamed

Local Residents – in attendance

Mr. K. Huzaifan
Mr M Salim (on behalf of Mr Huzaifan)

Parties Present: On behalf of Applicant – in attendance

Mr. Anthony Gregson
Mr. M. Chen (Mr Y Xu)
Mr Q. Khan

Officers

Emma Sharples – Solicitor
Kieran Hincliffe – Senior Licensing Officer
Ruth Worsley – Governance Officer

Date of Hearing: 23 June 2020

Time Commence: 4.00 p.m.

Time Terminated: 5.35 p.m.

LICENSING SUB-COMMITTEE DECISION

The Sub-Committee decided that the representations received from Local Residents are relevant representations.

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To grant a new premises licence as follows:

Sale of Alcohol (Both On and Off the premises):

Monday – Sunday 10:00 – 22:00

Opening Hours

Monday – Sunday 10:00 – 22:30

CONDITIONS

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

ADDITIONAL CONDITIONS

CCTV will be in operation in all areas of the premises including entrances and exits.

The CCTV System will record at all times that the premises are open for licensable activities.

Recordings will be stored for a minimum of 31 Days and images will be provided upon request to the Police Officer or other Responsible Authorities.

There will always be a member of staff present whilst the premises is open to the public who is conversant with the CCTV system and able to download images upon request by a Police Officer or other Responsible Authorities.

Signage will be displayed advertising that CCTV is in operation.

Staff will check the toilets every 60 minutes for illegal drug use and record each check accordingly.

There will be a workplace policy on violence to prevent disorderly conduct, staff will be trained in this policy and records of staff training will be kept for inspection.

An incident log will be kept at the premises and will record any incidents or crime and disorder. This log will also record any refusals of sale. The log will be available for inspection upon request by a Police Officer or other Responsible Authorities.

External Lighting will be on during operational hours.

In the absence of the Designated Premises Supervisor there will be another personal licence holder present when alcohol is being sold.

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All alcohol will be dispensed into glasses.

A fire risk assessment will be in place as agreed by the Fire Authority.

Any person who is leaving the premises to smoke, will not be permitted to take their drinks with them.

Drink sales will not be taken outside the premises at any time.

All sales of alcohol for off the premises consumption must be made through the company website and delivered to the customer.

Customers using the premises will not be permitted to purchase alcohol for off the premises consumption.

No noise will emanate from the premises and staff will check this during Regulated Entertainment.

Customers will be asked to be quiet while leaving the premises and to respect the local residents. Signs will be displayed to this effect.

Local taxi numbers will be made visible.

There will be no alcohol dispatched from the premises for deliveries after 7 p.m. daily.

The premises will not be hired to any third party promotion companies.

A 'Challenge 25' proof of age scheme will be in operation at the premises where the only forms of acceptable Identification will be a Passport, Photo Driving Licence or Proof of Age Card with the PASS Hologram.

All staff will receive training on the challenge 25 verification policy and training records will be kept for inspection as requested by the police or other responsible authorities.

The 'Challenge 25' scheme will actively promote the Proof of Age Standards Scheme (PASS) and all challenge posters will bear its logo.

Children under 16 will only be granted entry if accompanied by a responsible adult.

People using the website must enter the date of birth to prove they are over 18.

Alcohol that has been ordered via the website will not be left with anyone under the age of 18.

When alcohol is delivered the drivers will use the premises age verification policy before leaving any alcohol.

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Between the hours of 9.00 p.m. and 8.00 a.m. there should be no emptying of bottles outside of the property.

CONDITIONS AGREED BY THE TRADING STANDARDS OFFICER

To notify staff of any reports of alleged underage sales incidents that has been brought to your attention by Trading Standards. To keep a log of such notifications on file, ready for inspection by authorised officers of Trading Standards of an alleged underage sale from the premises and to produce a copy of the 'Record of Remedial Action' if requested by an authorised officer of Trafford Council.

To attend training seminars organised by Authorised Officers of GMP and / or Trafford Council as and when requested to do so.

A refusal log is to be kept to record dates and times of all refusals to retail alcohol to underage persons.

A copy of the Refusals Log will be made available immediately upon request of Authorised Officers of Trafford.

Challenge 25 scheme to be operated upon delivery of alcohol.

**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 carefully considered the concerns raised by local residents and balanced those concerns with the interests of the applicant and the licensing objectives.

The Sub-Committee noted that no representations had been received from the Responsible Authorities.

The Sub-Committee was satisfied that the statutory requirements regarding notices, advertisements and time limits had been complied with.

The Sub-Committee noted that local residents concerns included:-

Concerns that there are already a large number of licensed premises in the area and the granting of a further licence could contribute towards crime rates, which are already above the national average in the area;

Concerns surrounding increased traffic and parking and the impact / risks to children as a result of this;

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Concerns of increased anti-social behaviour leading to an increased requirement of police in the area.

The Sub-Committee considered that the objections fell within the 4 licensing objectives and invited the spokesperson to present a case in relation to all representations made.

The Sub-Committee listened to Mr Salim who was the appointed spokesperson for all representors. Mr Salim raised the following concerns if the licence was to be granted: -

- Increased traffic and parking by those visiting the premises.
- Disruption to local residents, including children caused at night when visitors are leaving the premises.
- Increased litter caused by the visitors to the premises.
- Protection of children surrounding the sale of alcohol.
- Other off-licences on Ayres Road already bring some nuisance to the area.
- There are a large number of Muslims in the community.

The Sub-Committee noted that the applicant had already engaged with the police and proposed numerous conditions to alleviate many of the concerns raised by residents.

It was also noted that the agent had provided his contact details for the community to contact him to discuss any concerns to try and work together to resolve them however nobody had contacted him. It transpired that the community had in fact spoken directly with the applicant (which the agent was unaware of) who had promised to provide reassurances in writing so that they could be communicated to the whole community but the written reassurance was never forthcoming. The agent pointed out that the concerns should have been raised with the agent and not the applicant.

The Sub-Committee considered that a 10.00 p.m. finish time was not late but accepted that this was subjective however it was considered that there is unlikely to be any disruption at the end of events given that they are likely to be attended by a maximum of 40 people.

The Sub-Committee were of the view that there was likely to be very little effect on traffic and parking in the area as the events were small, there is a private car park and the applicant was working with local taxi companies. Furthermore, such matters do not fall under the licensing objectives.

It was recognised that the area was multi-cultural but accepted that this was not a relevant factor in determining the granting of the application.

The Sub-Committee granted the licence in accordance with the conditions outlined above and with one additional condition – that between the hours of 9.00 p.m. and 8.00 a.m. there should be no emptying of bottles outside of the property.

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The Sub-Committee also asked that the community and the agent/licensee keep open the lines of communication to ensure that any concerns or problems can be discussed and resolved together.

The meeting commenced at 4.00 pm. and finished at 5.35 pm.