

LICENSING AUTHORITY FOR ROCHDALE

LICENSING ACT 2003 – APPLICATION FOR A REVIEW OF A PREMISES LICENCE

LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005

NOTICE OF DETERMINATION

Date of Hearing: Tuesday, 13th March 2018

Committee Members: Councillor Carol Wardle (in the Chair)
Councillor Peter Rush
Councillor Ann Stott JP

Officers: B. Wilkinson - Licensing Manager
J. Alom – Licensing Officer
D. Tickner - Legal Adviser
P Thompson - Committee Services

Also in attendance: K. Parwez (Applicant)
D. Fisher (Applicant)
P. Dixon – Applicant’s Representative
Chief Inspector N. Hill (Greater Manchester Police)
PC A. Anderson (Greater Manchester Police)

The Sub-Committee met to consider a review the Premises Licence for KoKo Lounge, Packer Street, Rochdale, OL16 1NQ, further to an application by a Responsible Authority in accordance with Section 51 of the Act.

The meeting was conducted in accordance with the adopted “Procedure for Hearings under the Licensing Act 2003 where Representations are Received”, as contained within the Local Authority’s Code of Conduct for Members and Officers Dealing with Matters under the Licensing Act 2003.

There were no declarations of interest made by Members or Officers in respect of the application under consideration.

The Licensing Manager addressed the Sub-Committee in respect of the submitted report, copies of which were available to the parties in advance of, and at the hearing. The submitted report provided details of the representation received from the Responsible Authority, local policy considerations and the national guidance.

In respect of the application the Sub-Committee were invited to:-

- (i) Modify the conditions of the Premises Licence;
- (ii) Exclude a licensable activity from the scope of the licence;
- (iii) Remove the designated premises supervisor from the licence;
- (iv) Suspend the licence for a period not exceeding three months; or
- (v) Revoke the licence.

DECISION

Upon hearing the Responsible Authority and the Licensee and his representative , and taking into account the written evidence, the decision of the Licensing Sub-Committee is as follows:-

The conditions of the licence shall be modified by adding the additional conditions agreed between the Licensee and his representative and Greater Manchester Police as circulated at the meeting.

REASONS

The Licensing Sub-Committee heard evidence put forward by Greater Manchester Police in relation to incidents arising at the premises, particularly in connection with crime and disorder.

Substantial evidence was provided to illustrate that the premises has experienced a significant number of incidents over the last 12 months and on 23rd September 2017, a firearms incident took place at the premises.

The Licensing Sub-Committee heard representations from the Licensee's legal representative, advising of measures that have been put in place at the premises since the incident on 23rd September 2017.

The Licensing Sub-Committee were advised by Greater Manchester Police that incidents at the premises have reduced in recent months.

The Licensing Sub-Committee were informed that over recent weeks discussions had taken place between Greater Manchester Police and the Licensee agreeing, between them, revised conditions that would alleviate any issues of crime and disorder, public safety and public nuisance in connection with the premises.

The Licensing Sub-Committee considered that, in order to promote the licensing objectives, the causes of concern can be adequately and proportionally dealt with by way of attaching conditions to the licence.

Councillor Carol Wardle (Chair)
Dated: 15th March 2018

Please Note: There is a right to appeal within 21 days of the written decision being received.