

LICENSING SUB-COMMITTEE

MINUTES OF MEETING

Monday, 23rd July 2018

PRESENT: Councillors Burke, O'Neill and Taylor

OFFICERS: J. Alom (Licensing Officer), Z. Ali (Legal Services) and P. Thompson (Committee Services)

ALSO IN ATTENDANCE: A. Anderson, D. Kent (Greater Manchester Police), C. Johnson (Gosschalks Solicitors), H. Standing and S. Southworth (the Craft Union Pub Company Limited).

APPOINTMENT OF CHAIR

8 Decision:

That Councillor O'Neill be appointed Chair for the meeting of the Licensing Sub-Committee.

DECLARATIONS OF INTEREST

9 There were no declarations of interests.

PROCEDURE FOR HEARINGS UNDER THE LICENSING ACT 2003

10 The Chair advised that the Sub-Committee had been convened to assist in the interim review of the Premises Licence in respect of the premises, The Edgar Wood (previously known as the Dusty Miller), 34 Middleton gardens, Middleton, M24 4DF, which has been the subject of a Police certificate and application, in accordance with Section 53A of the Licensing Act 2003.

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.

LICENSING OFFICER

11 The Licensing Officer addressed the Sub-Committee in respect of the submitted report, copies of which had been made available to the parties in advance of, and at the hearing. The submitted report included representations received from the Premises Licence Holder and his representatives and from Greater Manchester Police. The Sub-Committee in determining the application was required to give due regard to local policy considerations and the national guidance.

The Licensing Officer advised that the Sub-Committee had been convened to assist in the interim review of the premises licence at the Edgar Wood (formerly known as the Dusty Miller), 34 Middleton Gardens, Middleton, M24 4DF, which has been the subject of a Police certificate and application, in accordance with Section 53A of the Licensing Act 2003.

In respect of the application the Sub-Committee were invited to review the facts that were presented and if applicable either:

- a. Modify the conditions of the premises licence;
- b. Exclude aspect(s) of licensable activities from the scope of the licence;
- c. The removal of the designated premises supervisor from the licence;

- d. The suspension of the licence for a period not exceeding three months,
or
- e. The revocation of the licence

The Licensing Sub-Committee has delegated authority to determine the interim steps pending a review of the Premises Licence in accordance with Section 53B of the Licensing Act 2003.

THE REPRESENTATIONS

12 The Sub-Committee considered the views of Ms. A. Anderson and Mr. D. Kent (on behalf of Greater Manchester Police), who addressed the Sub-Committee regarding the interim steps that had been taken following the suspension of the Premises Licence at the Edgar Wood (formerly known as the Dusty Miller), 34 Middleton Gardens, Middleton, Manchester, M24 4DF.

THE APPLICATION

13 Ms. C. Johnson addressed the Sub-Committee on behalf of the licence holder: The Craft Union Pub Company Limited, 3 Monkspath Hall Road, Solihull, B90 4SJ.

EXCLUSION OF PRESS AND PUBLIC

14 All parties were requested to retire from the meeting whilst the Sub-Committee determined the review of the Premises Licence, after which the respective parties were re-admitted to the meeting.

DECISION

15 Resolved:

That the Sub-Committee was satisfied with the interim steps taken by the management of the Edgar Wood (formerly known as the Dusty Miller) and noted the lifting of the suspension of the premises licence at a previous interim hearing on 6th July 2018.

Following hearing representations from the parties, decided that the addition of the proposed conditions as recommended and agreed between the parties were appropriate in order to promote the licensing objectives.