

## **LICENSING SUB-COMMITTEE**

### **MINUTES OF MEETING Monday, 6<sup>th</sup> September 2021**

**PRESENT:** Councillors Burke, Rush and Taylor

**OFFICERS:** J. Alom (Neighbourhoods Directorate), Z. Ali, S. Baig, A. Graham and P. Thompson (Resources Directorate).

**Also in Attendance:** PC G. Grennan (Greater Manchester Police, Mr. Stanley Osademe-Patrick (applicant) and one member of the public.

#### **APPOINTMENT OF CHAIR**

1. Resolved:

That Councillor Burke be appointed Chair for the duration of the meeting of the Licensing Sub-Committee.

*Councillor Burke in the Chair*

#### **PROCEDURES FOR HEARINGS UNDER THE LICENSING ACT 2003**

2. The Chair advised that the Sub-Committee had been convened to assist in the determination of an application for a Premises Licence made under Section 17 of the Licensing Act 2003, for the Lekki Lounge, 3 Market Place, Middleton, Manchester, M24 6AE.

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.

#### **DECLARATIONS OF INTEREST**

3. There were no declarations of interests.

#### **LICENSING OFFICER**

4. 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 applicant, from representatives of Greater Manchester Police and from the Council's Environmental Health service.

In determining the application, the Sub-Committee 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 determination of an application for grant of a Premises Licence in respect of the Lekki Lounge, 3 Market Place, Middleton, Manchester, M24 6AE.

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

- a. grant the application;
- b. grant the application, with appropriate conditions;

c. reject the application.

### **THE REPRESENTATIONS**

5. PC. G. Grennan addressed the Sub-Committee on behalf of Greater Manchester Police, outlining their objections to the grant of a Premises Licence in respect of this property.

### **THE APPLICANT**

6. The Applicant, Mr. Stanley Osademe-Patrick addressed the Sub-Committee in support of the grant of the application.

### **EXCLUSION OF PRESS AND PUBLIC**

7. All parties were requested to retire from the meeting whilst the Sub-Committee determined the application for grant of a Premises Licence, after which the respective parties were re-admitted to the meeting.

### **DECISION**

8. The Licensing Sub-Committee, in determining the application gave due regard to the Statutory Guidance issued under s182 of the Licensing Act 2003, Rochdale Council's own Licensing Policy and the Licensing Act 2003.

The application before the Licensing Sub-Committee was for the grant of a new premises licence of Lekki Lounge, 3 Market Place, Middleton M25 6AE. The application was dated 9<sup>th</sup> July 2021 and had been made by Mr Stanley Osademe-Patrick.

Representations on the application were received from Greater Manchester Police, Weights and Measures Authority and Rochdale borough Council's Environmental Health Service and accordingly the matter was referred to the Sub-Committee for determination.

Conditions had been agreed with the Weights and Measures Authority and with the Council's Environmental Health Service and their representations had therefore been withdrawn.

The Sub-Committee listened to all the evidence and submissions and the Members had read all the material.

The Sub-Committee reached its decision having given due consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The Sub-Committee had, prior to its meeting, undertaken a site visit of the premises on Tuesday, 24<sup>th</sup> August 2021 at 10.30am accompanied by Officers of both the Council's Licensing Section and Legal Service (Trainee Solicitor).

The Sub-Committee heard details from the applicant about the about the responsibilities of running a licence premises and his previous experience.

The Sub-Committee heard from Greater Manchester Police that their main concern was having confidence that the applicant would promote the licensing objectives. The police relayed that the premises were considered to be a problem and had highlighted past incidents in December 2019 and January 2020. The Applicant had not engaged with Greater Manchester Police, save on three brief occasions and the application was not clear in detail regarding the promotion of the licensing objectives and therefore should be refused.

With all of the information before them, the Sub-Committee did not consider that they have sufficient confidence in the applicant's ability to promote the licensing objectives, and accordingly refused the application.

The Licensing Sub- Committee had no confidence that the Applicant would manage these premises effectively in a way which would uphold the Licensing Objectives.

In deciding to refuse the application, the Sub-Committee did not feel that there were any conditions that could be added to overcome their concerns as to the ability of the applicant to promote the licensing objectives, nor do they consider that excluding any of the licensable activities would address their concerns.

The Committee therefore considered it appropriate and proportionate to refuse the application.

**Councillor Phil Burke: Chair – Licensing Sub-Committee**

Please note that any party wishing to appeal this decision should do so in writing to Manchester and Salford Magistrates' Court, Crown Square, Manchester, M60 1PR within 21 days of the decision.