

LICENSING PANEL
14/09/2021 at 1.00 pm



Present: Councillor McLaren (Chair)
Councillors Garry and Hamblett

Also in Attendance:

Elise Brophy	Licensing Projects and Hearings Officer
Alan Evans	Group Solicitor
Nicola Lord	Principal Licensing Officer
Kaidy McCann	Constitutional Services
Julian Addison	Greater Manchester Police
Steven James	Donkeystone Brewing
Gary Brophy	Objector

1 **ELECTION OF CHAIR**

RESOLVED that Councillor McLaren be elected Chair for the duration of the meeting.

2 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Byrne.

3 **URGENT BUSINESS**

There were no items of urgent business received.

4 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

5 **PUBLIC QUESTION TIME**

There were no public questions received.

6 **ORDER OF PROCEEDINGS**

RESOLVED that the order of proceedings be noted.

7 **APPLICATIONS FOR TRANSFER OF A PREMISES
LICENCE & CHANGE OF DESIGNATED PREMISES
SUPERVISOR- EAGLE OFF LICENCE, 194 ASHTON
ROAD, OLDHAM, OL8 1QT**

Consideration was given to a report of the Principal Licensing Officer which informed the Panel of an application for the transfer of a premises licence and change of Designated Premises Supervisor in respect of Eagle Off Licence, 194 Ashton Road, Oldham, OL8 1QT, that had been referred to the Panel for determination due to representations being received.

The Panel was informed that on the 22nd June 2021, the applicant, Mr Satar Rasul Farag applied for the variation of a premises licence in respect of the premises at 194 Ashton Road.

Following submission and advertisement of the application, a representation had been received from Greater Manchester Police, opposing the grant of the application on the grounds of to prevent crime and disorder.



The Panel heard from Julian Addison, Greater Manchester Police about their reasons for objecting to the granting of the application.

Members asked for and received clarification on the status of the current licence holder. It was explained that the current licence holder of the premises had closed the shop and had ceased trading.

The Principal Licensing Officer summarised the evidence and submissions.

At this point in the proceedings the Panel, in accordance with Regulation 14 (2) of the Licensing Act 2003 (Hearings) Regulation 2005, moved into private session. In reaching a decision the Panel took into account the relevant provisions of National Guidance and the Council's Licensing Policy Statement with reference to the prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm.

RESOLVED that, having considered the representations from the Greater Manchester Police and having considered the Licensing Objectives with particular reference to crime and disorder, the transfer of the premise licence and change of Designated Premises Supervisor be **REFUSED**.

The Panel gave their reasons that refusal of the licence was appropriate due to the applicant's previous history and disregard for the law.

8 **REVIEW OF A PREMISES LICENCE FOLLOWING REVIEW NOTICE- SUNNYS NEWS AND OFF LICENCE**

RESOLVED that consideration of the review of the premises licence be deferred to a later meeting of the Licensing Panel.

9 **APPLICATION FOR A NEW PREMISES LICENCE- DONKEYSTONE BREWING, UNITS A-D WELLINGTON INDUSTRIAL PARK, WELLINGTON ROAD, GREENFIELD, OL3 7AQ**

Consideration was given to a report of the Principal Licensing Officer which informed the Panel of an application for the grant of a premises licence in respect of Donkeystone Brewing, Units A-D Wellington Industrial Park, Wellington Road, Greenfield, OL3 7AQ, that had been referred to the Panel for determination due to representations being received.

The Panel was informed that on the 16th July 2021, the applicant, Donkeystone Brewing Company Ltd, applied for the

grant of a premises licence in respect of the premises at Donkeystone Brewing. Following submission and advertisement of the application, representations had been received from Greater Manchester Fire and Rescue Service on the 2nd August 2021, opposing the grant of the application on the grounds of public safety. Representations had also been received from multiple interested parties against the application on the grounds of public safety.

The Panel also be noted that, following consultation with Environmental Health, their representation was withdrawn due to the applicant agreeing to the conditions being placed on their licence as set out in section 4.2 of the report. Greater Manchester Fire and Rescue Service had also withdrawn their representation as the Fire Strategy had been received from the Applicant.

The Applicant attended the meeting and addressed the Panel. Members and the representatives of the objectors asked for and received clarification on details of the application and of the business.

Representatives of the objectors attended the meeting and addressed the Panel. Members and the Applicant asked for and received clarification on details of the objections.

Members asked for and received clarification on the status and the ownership of the foot path. It was explained that part of the path was under the ownership of the Brewery and part by Tesco. The path had been installed during construction of the houses by Wiggett Homes following demolition of the Mill on site 11 years previously.

The Principal Licensing Officer, the Applicant and the Objector summarised the evidence and submissions.

At this point in the proceedings the Panel, in accordance with Regulation 14 (2) of the Licensing Act 2003 (Hearings) Regulation 2005, moved into private session. In reaching a decision the Panel took into account the relevant provisions of National Guidance and the Council's Licensing Policy Statement with reference to the prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm.

RESOLVED that, having considered the representations from the objectors and having considered the Licensing Objectives with particular reference to public safety, the application for a new premises licence be APPROVED subject to the additional conditions as set out in section 4.2 of the report.

The meeting started at 1.00 pm and ended at 3.08 pm