



Licensing Sub Committee Hearing Panel

Date: Monday, 21 June 2021
Time: 2.00 pm (or at the rise of the Licensing & Appeals
Sub-Committee Hearing Panel)
Venue: Council Chamber, Level 2, Town Hall Extension

This is a **supplementary agenda** containing additional information about the business of the meeting that was not available when the agenda was published

Access to the Council Chamber

Public access to the Council Chamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension.

There is no public access from any other entrance of the Extension.

Face Masks/Track and Trace

Anyone attending the meeting is encouraged to wear a face mask for the duration of your time in the building and to provide contact details for track and trace purposes.

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Grimshaw (Chair), Andrews and Jeavons

Supplementary Agenda

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| 1a. Urgent Business - Application for a New Premises Licence - Encontro, Unit 4b, 37a Blossom Street, Manchester, M4 6AJ - determination
The determination papers are enclosed. | 3 - 6 |
| 1b. Urgent Business - Application for a Premises Licence Variation - Cloudwater Brew Co, Units 12 & 13, Piccadilly Trading Estate, Giddings Road, Manchester, M1 2NP - determination
The determination papers are enclosed. | 7 - 8 |
| 8. Application for a New Premises Licence - Mala, Chapter One Books, 19 Lever Street, Manchester, M1 1BY
Now contains new information from the applicant. | 9 - 24 |

Further Information

For help, advice and information about this meeting please contact the Committee Officer:

Ian Hinton-Smith
Tel: 0161 234 3043
Email: ian.hinton-smith@manchester.gov.uk

This supplementary agenda was issued on **Thursday, 17 June 2021** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 257399
Name: Encontro
Address: Unit 4b, 37a Blossom Street, Manchester, M4 6AJ
Ward: Ancoats and Beswick
Application Type: Premises Licence (new)
Name of Applicant: Encontro Cafe Bar Ltd
Date of application: 05 May 2021

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted

The supply of alcohol for consumption both on and off the premises:

Mon to Sun noon to 10pm

Opening hours:

Mon to Sun 8am to 10pm

Representations received

Greater Manchester Police	The operating schedule which accompanies the application offers conditions but GMP believes that some of these need to be worded more robustly so as best to demonstrate that the 4 Licensing Objectives won't be undermined. Conditions are proposed which address the specific concerns.
Licensing & Out of Hours Compliance	The objection proposes conditions to "mitigate some of our concerns around neighbours being disturbed". The proposed conditions reflect the specific concerns.
Manchester City Council Trading Standards Service	The applicant has proposed conditions however Trading Standards considers that more robust conditions are needed. The conditions that are proposed reflect the

	specific concerns of this team.
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Agreements between parties

Greater Manchester Police:

The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice.

The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18. (a similar condition has been proposed by Trading Standards – please use composite condition at end that incorporates the wording of both)

In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. (Trading Standards has proposed 2 conditions regarding training / records of training. Please use the conditions proposed by Trading Standards as they include some additional wording)

Licensing & Out of Hours Compliance:

A notice will be on display requesting customers respect the needs of local residents and to leave the premises quietly.

Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance. A documented smoking policy will be put in place, as agreed with the Manchester City Council Environmental Health section, implemented at the premises and a copy lodged with the Council's Licensing Unit.

Trading Standards:

The Challenge 25 scheme must be operated including at the point of delivery to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram.

The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises and in all areas where alcohol is located that the Challenge 25 scheme is in operation.

The premises shall display prominent signage indicating at any point of sale that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol. (a similar condition has been proposed by GMP – please use composite condition at end that incorporates the wording of both)

In addition to any other training, the premises licence holder shall ensure that all staff are trained to prevent underage sales, are aware of and prevent proxy sales, maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate, and that they monitor staff to ensure their training is put into practice.

Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.

A log shall be kept at the premises to record all refused sales of alcohol for the reasons that the person(s) is/are, or appear(s) to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.

Composite condition regarding underage sales and signage regarding underage sales (incorporates wording from both GMP and Trading Standards:

The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises and in all areas where alcohol is located, that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.

Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Original application form
- Representations made against application and respective agreements

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Licensing Act 2003 (Hearings) Regulations 2005

Reference: 257400
Name: Cloudwater Brew Co
Address: Units 12 & 13, Piccadilly Trading Estate, Giddings Road, Manchester, M1 2NP
Ward: Piccadilly
Application Type: Premises Licence variation
Name of Applicant: Cloudwater Brew Co Ltd
Date of application: 30 April 2021

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted
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Supply of alcohol for consumption both on and off the premises: Mon to Sun 9am to 10pm

Opening hours: Mon to Sun 9am to 10pm
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Representations received

Licensing & Out of Hours Compliance	The Licensing and Out of Hours Team have concerns that the grant of the application, in its current form, is likely to lead to the Prevention of Crime and Disorder and the Prevention of Public Nuisance Licensing objectives being undermined. To prevent this they have proposed a number of licence conditions.
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Agreements between parties

Licensing & Out of Hours Compliance:

- | |
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| <ol style="list-style-type: none"> 1. Customers will not be permitted to remove from the premises any drinks supplied by the premises (alcoholic or otherwise) in open containers except for consumption in any delineated external area as shown on the plan attached to the licence. 2. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance. |
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Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Original application form
- Representations made against application and respective agreements

Fwd: Mala alcohol license application

Buzz Ventures [REDACTED]

Wed 2021-06-16 7:50 PM

To: [REDACTED]
[REDACTED]

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: 16 June 2021 at 12:05:46 BST
To: Buzz Ventures [REDACTED]
Subject: Mala alcohol license application

My name is [REDACTED]
[REDACTED]

I am writing to support Mala's application for a alcohol license for its venue on Lever Street in Manchester. I've been a resident here at [REDACTED] for over 3 years & I haven't witnessed any antisocial behaviour or disturbances at the Chapter One/Mala venue during my time here at [REDACTED], they seem to be a very respectful & responsible venue & I can't see any reason why they should be refused an alcohol license especially as Mala will be a part of Chapter One Cafe, which is a quiet, working book shop.

Kind Regards, [REDACTED]

Hi,

I am writing today just to provide some kind of support for the proposed plans for a license to Mala.

I live in the building [REDACTED] [REDACTED]
[REDACTED] I believe it would be a brilliant idea to provide this location with a license and allow the sale of alcohol etc, with the operating times that I have seen myself and my [REDACTED] flatmates would not have any problem at all with [REDACTED] enjoying themselves in the garden.

I could not support any complaints from [REDACTED] the building is in the city centre and we have noise coming from the buses, people walking past and road sweepers all day and night. I personally don't believe the noise emanating from Mala would cause any kind of disruption or add to the noise levels already in the city centre.

I would appreciate a close place outside to sit and enjoy the sun with a drink after work for example, as other than Picadilly Gardens there are not many garden spaces around and a bar/garden hybrid in [REDACTED] sounds great and I'm sure a silent majority in my building would agree.

I hope my opinions will assist you in some way. Please feel free to get in touch should you require any more information from myself.

Thanks,

[REDACTED]

To Whom it May Concern,

I would like to advocate for Mala to open, I understand there have been some objections from other residents in [REDACTED] but I feel as though Mala would be an excellent contribution to Chapter One, and Manchester as a whole.

I live in [REDACTED] and me, nor any of my flatmates, and I believe also my neighbour, have no objections to Mala opening as we understand living in the city centre is a bit noisy! Even with that, Mala has assured us that noise will be controlled, and I believe this to be true as it's an add on to their cafe, so this atmosphere will be maintained in Mala.

The owners have been very communicative and open with the residents of [REDACTED] and I, and I'm sure many others, would love to see them finally be able to open and thrive as I'm sure they will! They have worked very hard, as we have been able to see the construction of Mala from nothing to what it is now.

Best Wishes,

[REDACTED]

To whom it may concern,

I am a resident in [REDACTED] My [REDACTED] [REDACTED] and I regularly pass the location of Mala cafe on a day-to-day basis. Whilst not a resident prior to [REDACTED] I used to be uncomfortable walking past that area of town due to the disrepair the land had fallen into and honestly would not have moved into the building had the area not been renovated in the way it has.

I have found the owners of Mala to be extremely supportive to members of our building and communicate with everyone openly on our building facebook page. I believe the measures they are putting in place of giving everyone a direct line to complain if needed a positive sign showing that they truly believe there should be no issues but also if there are a commitment to dealing with them. They also had an open evening for any members of the building to attend and showed the level that any music played would be at which I couldn't hear from [REDACTED] during or even really until we got inside.

The opening hours are more than reasonable and will move crowds away from the building at a good hour for those concerned about sleep issues. Though to be honest by living so close to piccadilly gardens and with having a bus stop on lever street the area is already noisy at late hours so I don't see how Mala opening would make much difference.

Over the course of lockdown I have been really excited for Mala to open and bring the atmosphere of the northern quarter closer to my building. I think it'll make the area a nicer place to live as opposed to somewhere people just pass through. After visiting Mala on the open evening I think the bar provides a nice outdoor space where you feel surrounded by nature as opposed to the city which is much needed and lacking in this area of the city.

If the end goal of having a Parisian style garden is to be achieved money must be raised and I think this project is a positive and practical way of doing that.

Kind regards,

[REDACTED]

To Whom it may concern.

Regarding Chapter One of 19 Lever Street. I am in [REDACTED]
[REDACTED] I am writing to tell you that I have NO objections to Chapter One gaining an alcohol license. I believe that it would enhance the place very much. The noise will not be bad, in-fact I would prefer this than have the noise from all the drug addicts that reside along the bus stops on Lever Street, not to mention needles and other drug paraphernalia that is left. What Chapter One is trying to achieve, is really nice and would benefit everyone in the area.

Regards

[REDACTED]

Hi,

My name is [REDACTED]

I am writing to support Mala's application for a alcohol license for its venue on Lever Street in Manchester. Chapter One Cafe/Mala have had nothing but a positive impact to the local community during their time here at [REDACTED] in an area that has been plagued in the past by antisocial behaviour. I can't see any reason why they shouldn't be granted a alcohol license as they have a proven track record of being a responsible venue & neighbours to the residents [REDACTED]

Mala will be a short term temporary venue for to raise finance to build a permeant Parisian Garden for the local community. Also Mala will be a part of Chapter One Cafe, which is a quiet, working book shop.

[REDACTED]

Hello!

I'm one of the residents living in [REDACTED]
[REDACTED]

I'm not too concerned with noise pollution as we have been notified the premises will close by 22:00 and the owners have been very accepting of feedback. The owner is part of our residents group and is easy to communicate with should we have any issues.

Over the last few months, we've watched Mala develop and we're all very excited for it to open- we've been checking for a new local! It's an excellent use of a once derelict area of the Northern Quarter which attracted antisocial behaviour.

[REDACTED] and the team have been fantastic and we wish them all the luck in the future!

[REDACTED]

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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