



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 12 September 2022

Time: 10.00 am

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 Antechamber**

Public access to the Council Antechamber 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 the other entrances of the Extension.**

## **Membership of the Licensing Sub Committee Hearing Panel**

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**Councillors** - Grimshaw (Chair), Evans and T Judge

## Supplementary Agenda

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- 1a Urgent Business - Temporary Event Notice - Crown and Kettle, 2 Oldham Road, Manchester, M4 5FE** 3 - 64
- The report of the Director of Planning, Building Control and Licensing is enclosed.

## Further Information

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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](mailto:ian.hinton-smith@manchester.gov.uk)

This supplementary agenda was issued on **Wednesday, 7 September 2022** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 12 September 2022

**Subject:** Crown and Kettle, Crown And Kettle, 2 Oldham Road, Manchester, M4 5FE - ref: LTN279832 & LTN279833

**Report of:** Director of Planning, Building Control & Licensing

### Summary

Submission of temporary event notices where an objection notice has been given.

### Recommendations

That the Panel consider the objection notice(s) and give a counter notice where it considers it appropriate.

**Wards Affected:** Ancoats and Beswick

Manchester Strategy Outcomes	Summary of the contribution to the strategy
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The efficient processing of applications as well as effective decision making in respect of them, plays an essential role in enabling businesses to thrive and maximise contribution to the economy of the region and sub-region.
A highly skilled city: world class and home grown talent sustaining the city's economic success	An effective Licensing regime will enable growth in our City by supporting businesses who promote the Licensing Objectives.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications. Representations have to be directly related to the licensing objectives.
A liveable and low carbon city: a destination of choice to live, visit and work.	An effective licensing system supports and enables growth and employment in our City with neighbourhoods that provide amenities suitable to the surrounding communities.

A connected city: world class infrastructure and connectivity to drive growth	
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**Full details are in the body of the report, along with any implications for:**

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Contact Officers:**

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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
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

## 1. **Introduction**

- 1.1 On 2 September 2022, temporary event notices (TENs) were given under s100A of the Licensing Act 2003 in respect of Crown and Kettle, Crown And Kettle, 2 Oldham Road, Manchester, M4 5FE in the Ancoats and Beswick ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 In accordance with Licensing Act 2003 regulations, Greater Manchester Police (GMP) and Licensing Out of Hours Compliance (LOOH) were notified of the TEN.
- 1.3 Where either GMP or LOOH is satisfied that allowing the premises to be used in accordance with the TEN would undermine a licensing objective, they must give an objection notice to the relevant licensing authority, the premises user, and to every other relevant person.
- 1.4 The objection notice must be given no later than three working days after the day on which the objector is given the TEN.
- 1.5 An objection notice has been received in respect of this TEN and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

## 2. **The Notice**

- 2.1 A copy of each TEN is attached at **Appendix 2 and Appendix 2a**.
- 2.2 The premises user is Sam Foster.
- 2.3 The description of the events is Late night DJ raising money for local charity Mustard Tree.
  - 2.3.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this TEN.
  - 2.3.2 Any further details provided relating to any of the individual licensable activities are specified on the TEN at **Appendix 2 and Appendix 2a**.
  - 2.3.3 The premises is subject to a premises licence issued under the Licensing Act 2003. A copy of the licence is included at **Appendix 4**.
- 2.4 **Activities unsuitable for children**
  - 2.4.1 The premises user has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
- 2.5 **Further documentation accompanying the application**

### 3. **Objection Notice(s)**

3.1 An objection notice was received from GMP and from LOOH in respect of the TEN (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these objections will be available to the Panel at the hearing.

3.2 Summary of the objections:

Party	Grounds of representation	Recommends
<b>GMP</b>	The TENs are not in keeping with the agreed Framework of the Special Hours Policy and is likely to see an increase noise disturbance to residents who live close to the premises. The Framework was introduced to ensure that the local residents are not adversely affected by noise and potential anti-social behaviour for the local businesses and to allow these events to run until 0330 hours would definitely see the residents disturbed, by smokers throughout the event, and by the 100 customers leaving at the end of the night.	Serve a counter notice
<b>Licensing and Out of Hours Compliance</b>	<p>Concerns regarding event beyond the Special Hours Policy and the potential disturbance to local residents from the movement of tables and chairs at the end of the night, customers consuming alcohol and leaving the premises.</p> <p>The LOOH team submit that a more balanced risk would be to allow the premises to trade until 2am. Alongside this the LOOH team request that all conditions attached to the licence will be applied to the TEN and an additional 2 conditions as follows: - On dispersal customers will be guided to use the exit on Great Ancoats Street. - Door staff will be employed at a ratio of 1/100 people and will be responsible for aiding dispersal. SIA will remain on duty until all customers have left the immediate vicinity of the area. - The TEN holder will conduct documented hourly checks from Midnight of the outside area, to ensure noise from the premises is not causing a nuisance to the area.</p>	Grant until 2am & Apply Conditions

#### 4. **Key Policies and Considerations**

##### 4.1 **Legal Considerations**

- 4.1.1 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.

##### 4.2 **New Information**

- 4.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.

##### 4.3 **Hearsay Evidence**

- 4.3.1 The Panel may accept hearsay evidence and it will be a matter for the Panel to attach what weight to it that they consider appropriate. Hearsay evidence is evidence of something that a witness neither saw nor heard, but has heard or read about.

##### 4.4 **The Secretary of State's Guidance to the Licensing Act 2003**

- 4.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided for all parties involved in licensing. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.
- 4.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.
- 4.4.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

##### 4.5 **Manchester Statement of Licensing Policy**

- 4.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' its statement of licensing policy.
- 4.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.

- 4.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.
- 4.5.4 Where the authority considers that to impose on the TEN one or more of the conditions from a premises licence or club premises certificate in force at the premises (insofar as such conditions are not inconsistent with the event) is appropriate for the promotion of the licensing objectives, the policy is to give notice to the premises user that includes a statement of the conditions imposed. Copies of this notice will be provided for GMP and LOOH.
- 4.5.5 Where, following any representations at the hearing, the licensing authority is not satisfied the event will ensure the promotion of the licensing objectives, the policy is to issue a counter-notice against the Temporary Event Notice.

## 5. **Conclusion**

- 5.1 A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives:
- the prevention of crime and disorder
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 5.2 In considering the matter, the Panel should take into account any objections that have been received from GMP or LOOH, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council's licensing policy statement.
- 5.3 Having regard to the objection notice(s), the panel must give the premises user a counter notice if it considers it appropriate for the promotion of a licensing objective to do so.
- 5.4 If the panel decides not to give a counter notice the panel may impose one or more conditions on the TEN if –
- the authority considers it appropriate for the promotion of the licensing objectives to do so,
  - the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and
  - the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.
- 5.5 All licensing determinations should be considered on the individual merits of the notification.
- 5.6 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to

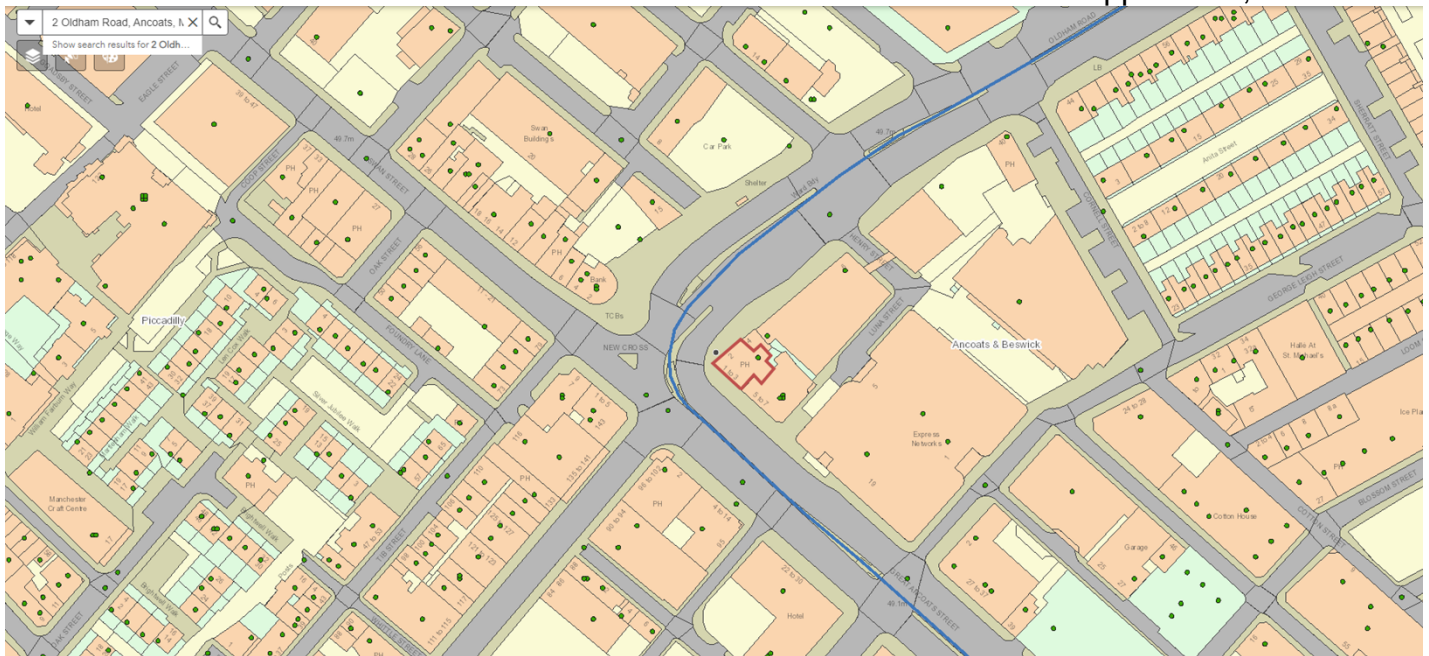


what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.

- 5.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.

6. **The Panel is asked to determine the temporary event notice.**

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Crown and Kettle  
Crown And Kettle, 2 Oldham Road, Manchester, M4  
5FE

Premises Licensing  
Manchester City Council

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Survey100019568.



<b>PREMISE NAME:</b>	Crown and Kettle
<b>PREMISE ADDRESS:</b>	Crown And Kettle, 2 Oldham Road, Manchester, M4 5FE
<b>WARD:</b>	Ancoats and Beswick
<b>HEARING DATE:</b>	12/09/2022

# Temporary Event Notice

Payment Transaction number:- SSES00439490 | Form Reference number EF1/549310

## Premises User Information

Title

Mr

If other please state

UK

Surname

Foster

Forenames

Sam

Previous names (Please enter details of any previous names or maiden names, if applicable)

n/a

Your date of birth

Your place of birth

Chester

National Insurance Number

Your current address (We will use this address to correspond with you unless you complete the separate correspondence box)

Telephone

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email address

Address

n/a

Telephone

n/a

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email

n/a

## Premises information

Please give the name and address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references)

The Crown & Kettle

Premises licence number

244711

Club premises certificate number

n/a

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details.

Inside only

Please describe the nature of the premises

Public House

Please describe the nature of the event

Late night DJ raising money for local charity Mustard Tree. Security provided

Licensable activities

The sale by retail of alcohol

Yes

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

Yes

The provision of regulated entertainment

Yes

The provision of late night refreshment

No

Are you giving a late temporary event notice?

No

Please state the dates on which you intend to use these premises for licensable activities.

Saturday 5th November 2022

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock).

00:00-03:30

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers (maximum 499).

100

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both

On

Please state if the licensable activities will include the provision of relevant entertainment.

No

If yes selected, please state the times during the event period that you propose to provide relevant entertainment.

n/a

## Personal Licence Details

Do you currently hold a valid Personal Licence?

Yes

Issuing Authority

Preston City Council

Licence Number

PRPA12857

Date of Issue

28/10/20

Date of Expiry

N/A

Any further relevant details

n/a



Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes

If answering yes, please state the number of temporary event notices you have given for events in that same calendar year

2

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your associate have given for events in the same calendar year

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

# Declaration and Payment New

Name

Sam Foster

Capacity in which you are making this application

Operations Manager

## Additional information

I\_understand

Yes

These are the files included with this application :-

Acknowledgement

I acknowledge receipt of this temporary event notice

Signature:

On behalf of the Licensing Authority

Date:

Name of officer signing:

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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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# Temporary Event Notice

Payment Transaction number:- SSES00439546 | Form Reference number EF1/549382

## Premises User Information

Title

Mr

If other please state

UK

Surname

Foster

Forenames

Sam

Previous names (Please enter details of any previous names or maiden names, if applicable)

n/a

Your date of birth

Your place of birth

Chester

National Insurance Number

Your current address (We will use this address to correspond with you unless you complete the separate correspondence box)

Telephone

Evening telephone

n/a

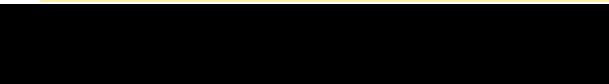
Mobile phone

n/a

Fax number

n/a

Email address



Address

n/a

Telephone

n/a

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email

n/a

## Premises information

Please give the name and address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references)

The Crown and Kettle  
2 Oldham Road  
M45FE



Premises licence number

244711

Club premises certificate number

n/a

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details.

INSIDE ONLY

Please describe the nature of the premises

PUBLIC HOUSE

Please describe the nature of the event

LATE NIGHT DJ RAISING MONEY FOR LOCAL CHARITY MUSTARD TREE. SECURITY PROVIDED

Licensable activities

The sale by retail of alcohol

Yes

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

No

The provision of regulated entertainment

Yes

The provision of late night refreshment

No

Are you giving a late temporary event notice?

No

Please state the dates on which you intend to use these premises for licensable activities.

Saturday 12th November 2022

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock).

00:00-03:30

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers (maximum 499).

100

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both

On

Please state if the licensable activities will include the provision of relevant entertainment.

No

If yes selected, please state the times during the event period that you propose to provide relevant entertainment.

n/a

## Personal Licence Details

Do you currently hold a valid Personal Licence?

Yes

Issuing Authority

Preston City Council

Licence Number

PRPA12857

Date of Issue

28/10/2010

Date of Expiry

N/A

Any further relevant details

n/a

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes

If answering yes, please state the number of temporary event notices you have given for events in that same calendar year

3

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your associate have given for events in the same calendar year

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

## Declaration and Payment New

Name
Sam Foster
Capacity in which you are making this application
Operation Manager

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## Additional information

I_understand	Yes
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These are the files included with this application :-

Acknowledgement

I acknowledge receipt of this temporary event notice

Signature:

On behalf of the Licensing Authority

Date:

Name of officer signing:

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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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## GREATER MANCHESTER POLICE



To: Manchester City Council  
Licensing Unit  
Hammerstone Road  
Gorton

To: Mr Sam Foster

7<sup>th</sup> September 2022

Dear Sir

Please accept this letter as formal notification that Greater Manchester Police wish to object, under Section 104(2) of the Licensing Act 2003, to the **TEMPORARY EVENT NOTICE** detailed below, as we are satisfied that granting the application under these circumstances would undermine the Licensing Objectives.

<b>PREMISES NAME:</b>	<b>Crown &amp; Kettle</b>
<b>ADDRESS:</b>	2 Oldham Road, Manchester M4 5FE
<b>DATE OF EVENT:</b>	05/11/22 and 12/11/22
<b>TIME OF EVENT:</b>	0000 – 0330 hrs

Please accept this as formal notification of the Greater Manchester Police objection to the TENs in relation to the above premises on the grounds of the Prevention of Public Nuisance.

The premises are situated in close proximity to a residential area and there is an agreed framework for the area which outlines the acceptable operating times for premises.

The Ancoats and New Islington Neighbourhood Development Framework, which was approved in 2014 states, amongst other things, that:

***The effect of the Special Hours Policy is that the Council will generally only permit licensable activities for premises in the Ancoats and New Islington Regeneration Framework area until the terminal hours set out below whenever it receives relevant representation, unless an applicant can demonstrate there are exceptional circumstances that justify a departure from the policy in the***

## GREATER MANCHESTER POLICE

*individual circumstances.*

*11pm (Sunday to Thursday)*

*12 midnight (Friday, Saturday)'*

The applicant has applied to allow the premises to remain open conducting licensable activities until 0330 hours on 2 date in November 2022 with an expected 100 customers present.

This is clearly not in keeping with the agreed Framework and is likely to see an increase noise disturbance to residents who live close to the premises.

The Framework was introduced to ensure that the local residents are not adversely affected by noise and potential anti-social behaviour for the local businesses and to allow this event to run until 0330 hours would definitely see the residents disturbed, by smokers throughout the event, and by the 100 customers leaving at the end of the night.

GMP therefore asks that the TEN is refused.

Signed:.....PC 17659 Isherwood..... (rank/pin/name)

Date/Time 7<sup>th</sup> September 2022 0700 hrs

.....


**MANCHESTER  
CITY COUNCIL**
**Licensing & Out of Hours Compliance Team - Representation**

Name	Gemma Hunt
Job Title	Licensing & Out of Hours Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Hammerstone Road, Gorton M18 8EQ
Email Address	gemma.hunt@manchester.gov.uk
Telephone Number	07817014958

**Premise Details**

Application Ref No	M279833 & M279832 (TENs x 2)
Name of Premises	Crown and Kettle
Address	2 Oldham Road, Manchester, M4 5FE

**Representation**

Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.

The Licensing & Out of Hours Team have risk assessed the Temporary Event Notices (TEN) submitted for Saturday 5<sup>th</sup> and Saturday 11<sup>th</sup> November; taking into consideration the location of the premises, trading history at the premises, the Special Hours Policy for Ancoats & New Islington set out in Manchester City Council's Statement of Licensing Policy (SLP) and any impact the event could have on the 4 licensing objectives.

S5.33 of the SLP States *'The effect of the Special Hours Policy is that the Council will generally only permit licensable activities for premises in the Ancoats and New Islington Regeneration Framework area until the terminal hours set out below whenever it receives relevant representation, unless an applicant can demonstrate there are **exceptional circumstances** that justify a departure from the policy in the individual circumstances.*

*11pm (Sunday to Thursday)*

*12 midnight (Friday, Saturday)'*

The premises currently benefits from a licence; authorising licensable activities as set out in the Special Hours Policy. The TENs are to extend the hours for alcohol sales and regulated entertainment (DJ) until 03:30 hours for 100 people. The TEN holder has indicated that they intend to run 4 events in total for every Saturday in November.

The premises is located next door but one to a residential block of 48 flats at 6 Oldham Road, to the rear of the property is 22 flats on 5 Luna Road.

The most recent licence for the premises was granted to the new owners in April 2020 and they have spent most of their trading history so far within covid restrictions. The premises has now completed just over 1 years trading under 'normal' measures.

Between June and July 2021 the LOOH team received 4 complaints from residential properties regarding loud music emanating from the premises up to midnight.

The most recent complaint was received in May 2022 regarding noise and litter from the use of the tables and chairs externally.

In July 2022 the LOOH team made repeated visits to the premises regarding the tables and chairs area being used outside of the permitted area, leading to insufficient pedestrian space between the tables and chairs and the cycle lane.

As tables and chairs are stored inside the premises after close, if an extension of hours were to be permitted, this would mean that tables and chairs would remain outside until dispersal has finished following a 03:30am cease of activities and there are concerns around the noise that would be generated from moving these inside the premises at this time.

*S5.41 of the SLP states ‘..... However, controlling the lateness of the hours for licensed premises is regarded as particularly important, having regard to the predominantly residential character of the Ancoats and New Islington neighbourhoods.’*

To allow a temporary extension of hours at the premises, to a premises directly facing the Northern Quarter, would simply extend the vibrant City nightlife across the road, which is an area the LOOH team already regularly attend to manage noise complaints.

*S5.42 of the SLP states ‘With this in mind, the Council considers that a terminal hour of 11pm (midnight on Friday and Saturday) is appropriate in this area in order to prevent issues that can arise with the night-time economy during later hours, particularly, increases in noise from patrons coming and going to licensed premises, antisocial behaviour, litter, and alcohol-related crime and disorder, which would undermine the promotion of the licensing objectives locally.’*

On leaving the premises, and after consuming alcohol until 03:30am, it is unrealistic for staff to contain all the noise made by customers on dispersal, talking as walking away from the premises, whilst waiting for taxis and any ASB that can generally arise from customers drinking alcohol for an extended period of time.

The LOOH team submit that a more balanced risk would be to allow the premises to trade until 2am.

Along side this the LOOH team request that all conditions attached to the licence will be applied to the TEN and an additional 2 conditions as follows:

- On dispersal customers will be guided to use the exit on Great Ancoats Street.
- Door staff will be employed at a ratio of 1/100 people and will be responsible for aiding dispersal. SIA will remain on duty until all customers have left the immediate vicinity of the area.
- The TEN holder will conduct documented hourly checks from Midnight of the outside area, to ensure noise from the premises is not causing a nuisance to the area.

Recommendation:	Grant until 2am & Apply Conditions
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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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# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

<b>Premises licence number</b>	244711
<b>Granted</b>	20/04/2020
<b>Latest version</b>	DPS variation 254482 granted 01/01/2021

### Part 1 - Premises details

<b>Name and address of premises</b>
<b>Crown and Kettle</b> Crown And Kettle, 2 Oldham Road, Manchester, M4 5FE
<b>Telephone number</b> 0161 236 2923

<b>Licensable activities authorised by the licence</b>
<ol style="list-style-type: none"> <li>1. The sale by retail of alcohol*.</li> <li>2. The provision of regulated entertainment, limited to: <ol style="list-style-type: none"> <li>a. Exhibition of films;</li> <li>b. Live music;</li> <li>c. Recorded music;</li> <li>d. Performances of dance;</li> <li>e. Anything similar to live music, recorded music or the performance of dance.</li> </ol> </li> <li>3. The provision of late night refreshment.</li> </ol> <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

The times the licence authorises the carrying out of licensable activities							
Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	2300	2300	2300	2300	2400	2400	2300
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non-standard Timings:							
None							

Exhibition of films; Live music; Recorded music; Performances of dance; Anything similar to live music, recorded music or the performance of dance							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	Not permitted				2300	2300	Not permitted
Finish					2400	2400	
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
None							

<b>Provision of late night refreshment</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	Not permitted				2300	2300	Not permitted
Finish					2400	2400	
Licensed to take place indoors only.							
<b>Seasonal variations and Non-standard Timings:</b>							
None							

<b>Hours premises are open to the public</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	2330	2330	2330	2330	0030	0030	2330
<b>Seasonal variations and Non-standard Timings:</b>							
None							

## Part 2

<b>Details of premises licence holder</b>	
<b>Name:</b>	Future Cultures ltd
<b>Address:</b>	Repton Manor, Repton Avenue, Ashford, Kent, TN23 3GP
<b>Registered number:</b>	12847615

<b>Details of designated premises supervisor where the premises licence authorises for the supply of alcohol</b>	
<b>Name:</b>	Alex Daw
<b>Address:</b>	[REDACTED]
<b>Personal Licence number:</b>	18/01342/LAPER
<b>Issuing Authority:</b>	North East Derbyshire District Council

<b>Annex 1 – Mandatory conditions</b>	
<b>Door Supervisors</b>	
1.	Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: - <ul style="list-style-type: none"> <li>(a) Unauthorised access or occupation (e.g. through door supervision),</li> <li>(b) Outbreaks of disorder, or</li> <li>(c) Damage,</li> </ul> unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.
<b>Supply of alcohol</b>	
2.	No supply of alcohol may be made under this premises licence: <ul style="list-style-type: none"> <li>(a) At a time when there is no designated premises supervisor in respect of the premises licence or,</li> <li>(b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.</li> </ul>
3.	Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
4.	<ul style="list-style-type: none"> <li>(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.</li> <li>(2) The designated premises supervisor in relation to the premises licence must ensure that the</li> </ul>



supply of alcohol at the premises is carried on in accordance with the age verification policy.

- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –

- (a) a holographic mark, or
- (b) an ultraviolet feature.

5. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.

- (2) For the purposes of the condition set out in (1) above–

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) “permitted price” is the price found by applying the formula–

$$P = D + (D \times V)$$

where –

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
  - (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

- (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
  - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

8. The responsible person must ensure that –

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

For the purposes of conditions 6, 7 and 8 above, a responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

#### **Exhibition of films**

9. The admission of children under the age of 18 to film exhibitions permitted under the terms of this certificate shall be restricted in accordance with any recommendations made:
- (a) by the British Board of Film Classification (BBFC) where the film has been classified by that Board, or
  - (b) by the Licensing Authority where no classification certificate has been granted by the BBFC, or where the licensing authority has notified the club which holds the certificate that section 20 (3) (b) (74 (3)(b) for clubs) of the Licensing Act 2003 applies to the film.

#### **Annex 2 – Conditions consistent with the operating schedule**

1. Door staff shall be authorised by the Security Industry Authority.
2. Security Industry Authority Door Supervisors and bar staff shall undertake age verification checks.

#### **Annex 3 – Conditions attached after hearing by the licensing authority**

1. An incident log (which may be electronically recorded) shall be kept at the premises for at least six

months, and made available upon request to the police or an authorised officer of the licensing authority, which shall record incidents of crime and disorder at the premises

2. The premises shall install and maintain a comprehensive digital CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the street environment shall be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record while 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.
3. 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 shall be able to produce/download/ burn CCTV images upon request by a police officer or an authorised officer of the licensing authority.
4. Ant footage shall be in a format that 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.
5. Patrons shall not be permitted to remove bottles or glassware from the premises.
6. There shall be no external speakers operated at the premises.
7. Windows and doors to the premises shall remain closed after 2300 (except for access and egress).
8. Notices requesting customers to leave quietly and respect the needs of local residents shall be prominently displayed at all points of access and egress to the premises.
9. Noise and disturbance shall not emanate from the premises so as to cause a nuisance to noise sensitive premises in the vicinity
10. The Challenge 25 Scheme shall be operated 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 EU/EEA national ID card or similar document, an HM Page 8 Item 5 Forces warrant card, or a card bearing the PASS hologram.
11. The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises that the Challenge 25 scheme is in operation.
12. 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 shall be available upon 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.
13. 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, and that they monitor staff to ensure their training is put into practice.
14. 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.

#### **Annex 4 – Plans**

See attached

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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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