



Licensing Sub Committee Hearing Panel

Date: Monday, 7 January 2019

Time: 10.00 am

Venue: The Council Antechamber, 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. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk.

There is no public access from the Lloyd Street entrances of the Extension.

Membership of the Licensing Sub Committee Hearing Panel

Councillors – Grimshaw (Chair), Lynch and Stone

Supplementary Agenda

1. Urgent Business

To consider any items which the Chair has agreed to have submitted as urgent.

2. Appeals

To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.

3. Interests

To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.

4. Application for a New Premises Licence for Sicilia Pizza, 116 Mauldeth Road, Manchester, M14 6SQ. 5 - 46

The report of the Head of Planning, Building Control and Licencing is attached.

5. Application for a Premises Licence Variation for Sakana, Sakana, 23 Peter Street, Manchester, M2 5QJ. 47 - 96

The report of the Head of Planning, Building Control and Licencing is attached.

6. Application for a New Premises Licence for Munch, 186 Stockport Road, Manchester, M13 9AB 97 - 100

The report of the Head of Planning, Building Control and Licencing is attached.

7. Application for a New Premises Licence for Five Guys, University Green, 142 Oxford Road, Manchester, M13 9GP 101 - 102

The report of the Head of Planning, Building Control and Licencing is attached.

8. Application for a Premises Licence Variation for Gorilla, 54-56 Whitworth Street West, Manchester, M1 5WW 103 - 104

The report of the Head of Planning, Building Control and Licencing is attached.

Further Information

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

Beth Morgan
Tel: 0161 234 3043
Email: b.morgan@manchester.gov.uk

This supplementary agenda was issued on **Wednesday 2 January 2019** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA

This page is intentionally left blank

Manchester City Council Report for Resolution

Report to: Licensing Subcommittee Hearing Panel – 7 January 2019

Subject: Sicilia Pizza, 116 Mauldeth Road, Manchester, M14 6SQ - (App ref: 222991)

Report of: Head of Planning, Building Control and Licensing

Summary

Application for the grant of a premises licence which has attracted objections.

Recommendations

That the Panel determine the application.

Wards Affected:

Withington

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	
---	--

Full details are in the body of the report, along with any implications for:

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

Name: Fraser Swift
Position: Principal Licensing Officer
Telephone: 0161 234 1176
E-mail: f.swift@manchester.gov.uk.

Name: Jean Clarke
Position: Technical Licensing Officer
Telephone: 0161 234 4375
E-mail: j.clarke1@manchester.gov.uk

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 15/11/2018, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Sicilia Pizza, 116 Mauldeth Road, Manchester, M14 6SQ in the Withington ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. **The Application**

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Mr Parvat Singh Chundawat.
- 2.3 The description of the premises by the applicant is a takeaway.
- 2.4 **The licensable activities applied for:**

Provision of late night refreshment:

Mon to Sun: 11pm to 2am

From the start of permitted hours on New Years' Eve to the end of permitted hours on New Years' Day.

An extra hour on the day that British Summertime Commences

Opening hours:

Mon to Sun 11am to 11pm (telephone/internet orders for delivery only after 11pm)

- 2.4.1 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.
- 2.5 **Activities unsuitable for children**
- 2.5.1 The applicant 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.

2.6 Steps to promote the licensing objectives

- 2.6.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.
- 2.6.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 4**.

3. Relevant Representations

- 3.1 A total of one relevant representation was received in respect of the application (**Appendix 3**) from:

Councillor Rebecca Moore, Member for Withington ward

- 3.2 Summary of the representation:

Party	Grounds of representation	Recommends
Councillor Moore	<p>The opening hours are significantly extended compared to the other late night refreshment venues on Mauldeth Road in Ladybarn District Centre.</p> <p>Approving this application would increase issues around the night time economy.</p> <p>Issues with the refuse storage at the rear of the property, plus issues relating to noise and anti-social behaviour linked to our large student population within the locality. The venue already appear to be operating unlicensed according to the times listed on the Just Eat website (5pm to 4am Monday- Sunday).</p> <p>Concerns that licence terms will be stuck to.</p> <p>Has witnessed the venue open and trading in the early hours of the morning.</p>	Refuse application

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 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy:

Section 6: What we aim to encourage

This section identifies certain types of venues and initiatives the licensing authority aims to encourage in order to promote an inclusive evening and night-time economy not simply focused on the consumption of alcohol. We aim to encourage:

- Premises that will extend the diversity of entertainment and attract a wider range of participants

- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
- National cultural institutions, global sports events and cultural festivals
- Non-drink-led premises, including restaurants, cafes, theatres and cinemas
- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application
- Participation in Pubwatches, off licence forums and other crime-reduction partnerships
- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

Section 7: Local factors

This section sets out key issues that applicants are expected to take into account relevant to the individual characteristics of the premises when preparing their operating schedule and address any local factors relevant to their premises.

Having regard to the grounds of the representations made, the Panel are recommended to have regard to the following Factors:

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Ability to clean and maintain the street scene

Section 8: Manchester's standards to promote the licensing objectives

This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be appropriate to apply in every situation to every premises, and applicants are not obliged to include all standards in their operating schedule. The degree to which standards would be appropriate is expected to be proportionate to the risk posed against the promotion of the licensing objectives having regard to the individual circumstances of the premises. The standards are not exhaustive and the licensing authority will have regard to any relevant issues raised in any representation that may fall outside them.

MS2 Effective general management of the premises

MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse

Conclusion

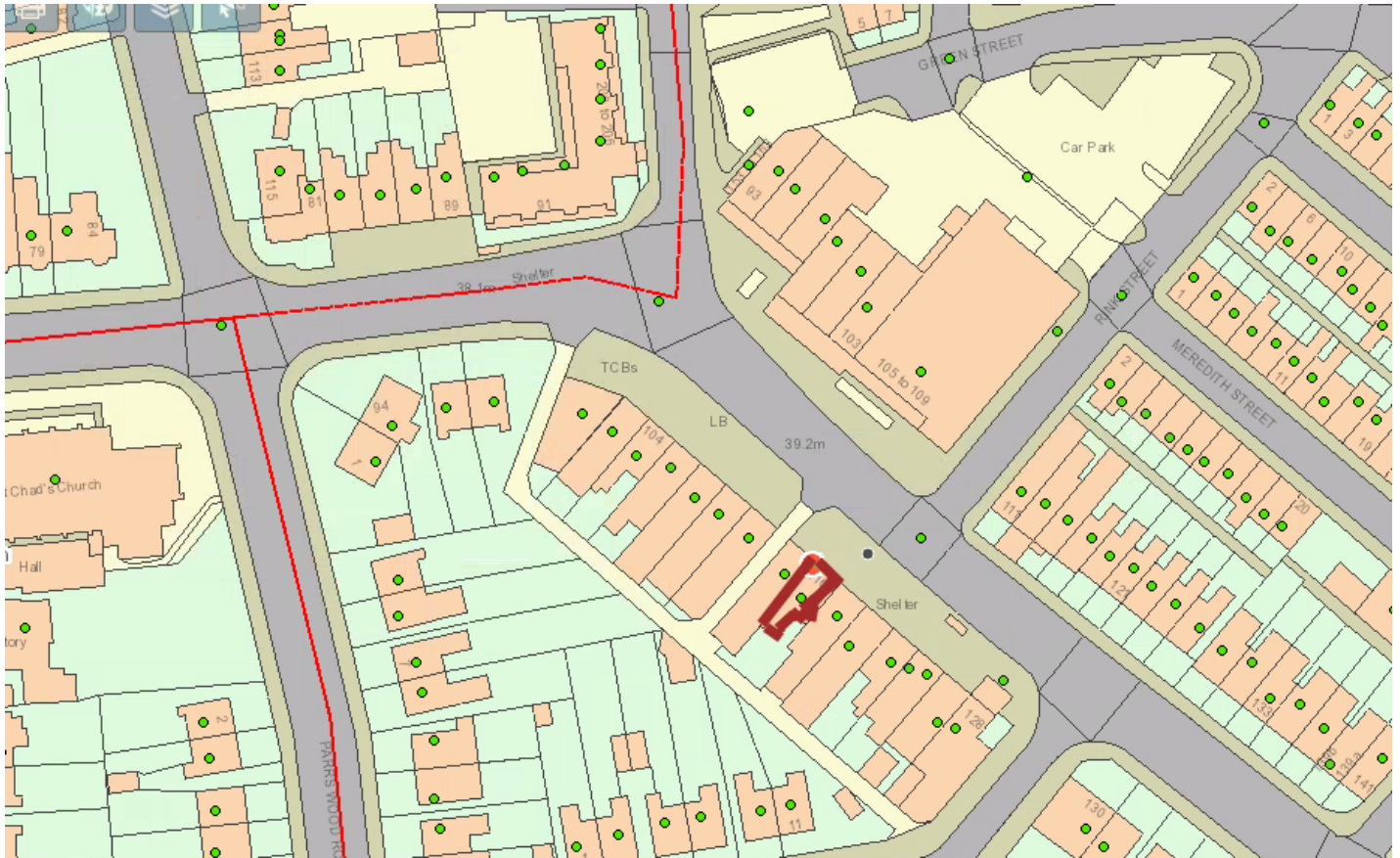
- 4.6 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 4.7 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, 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.
- 4.8 Having regard to the representations, the Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to:
 - i. the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate, and
 - ii. any mandatory conditions that must be included in the licence;
 - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
 - c) To refuse to specify the person proposed in the application as the designated premises supervisor;
 - d) To reject the application.
- 4.9 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 4.10 All licensing determinations should be considered on the individual merits of the application.
- 4.11 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.
- 4.12 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.

4.13 **The Panel is asked to determine the application.**



PREMISE NAME:	Sicilia Pizza
PREMISE ADDRESS:	116 Mauldeth Road, Manchester, M14 6SQ
WARD:	Withington
HEARING DATE:	7/1/2019

This page is intentionally left blank



Sicilia Pizza
116 Mauldeth Road, Manchester, M14 6SQ

Premises Licensing
Manchester City Council

© Crown copyright and database rights 2015.
Ordnance Survey 100019568.

This page is intentionally left blank

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Mr Parvat Singh Chundawat

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Sicilia Pizza 116 Mauldeth Road Ladybarn			
Post town	Manchester	Postcode	M14 6SQ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£7500

Part 2 - Applicant details

Please state whether you are applying for a premises licence as		Please tick as appropriate
a) an individual or individuals *	x	please complete section (A)
b) a person other than an individual *		
i as a limited company/limited liability partnership		please complete section (B)
ii as a partnership (other than limited liability)	<input type="checkbox"/>	please complete section (B)
iii as an unincorporated association or	<input type="checkbox"/>	please complete section (B)
iv other (for example a statutory corporation)	<input type="checkbox"/>	please complete section (B)
c) a recognised club	<input type="checkbox"/>	please complete section (B)
d) a charity	<input type="checkbox"/>	please complete section (B)

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or x

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>		Mrs <input type="checkbox"/>		Miss <input type="checkbox"/>		Ms <input type="checkbox"/>		Other Title (for example, Rev)		
Surname Chundawat						First names Parvat Singh				
Date of birth		[REDACTED]		I am 18 years old or over		<input checked="" type="checkbox"/>		Please tick yes		
Nationality		British								
Current residential address if different from premises address		[REDACTED]								
Post town		[REDACTED]				Postcode		[REDACTED]		
Daytime contact telephone number										
E-mail address (optional)		[REDACTED]								

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>		Mrs <input type="checkbox"/>		Miss <input type="checkbox"/>		Ms <input type="checkbox"/>		Other Title (for example, Rev)		
-----------------------------	--	------------------------------	--	-------------------------------	--	-----------------------------	--	--------------------------------	--	--

Surname		First names	
Date of birth over		I am 18 years old or <input type="checkbox"/> Please tick yes	
Nationality			
Current postal address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
1	4	1	2	2	0	1	8

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD		MM		YYYY			

Please give a general description of the premises (please read guidance note 1)
Take-away

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A) ☐
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C) ☐
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ☐
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

x

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	x
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	23:00	02:00			
Tue	23:00	02:00			
Wed	23:00	02:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5) From the start of permitted hours on New Years' Eve to the end of permitted hours on New Years' Day. An extra hour on the day that British Summertime Commences		
Thur	23:00	02:00			
Fri	23:00	02:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat	23:00	02:00			
Sun	23:00	02:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

All sales after 23:00 shall be made via telephone / internet and shall be for delivery only. Deliveries shall be carried out by car, and drivers shall collect orders from the rear of the premises.

Last telephone request for deliveries shall be no later than 01:30.

b) The prevention of crime and disorder

The premises shall install and maintain a comprehensive digital CCTV system. All public area of the licensed premises, including the street environment shall be covered, enabling facial recognition of every person entering in any light condition. The CCTV cameras shall continually record while the premises are open to either the public or for deliveries, and recordings shall be kept available and unedited for a minimum of 28 days.

c) Public safety

All fire equipment will be maintained and inspected as requested by the manufacturer.

d) The prevention of public nuisance

The area outside the premises shall be kept clean and tidy and the staff shall be required to remove all store associated litter on a regular basis throughout the licence hours, and in particular shall tidy away any litter at the conclusion of the licensing hours.

Litter bins shall be provided at the premises in sufficient quantity to ensure that customers can adequately dispose of any litter.

All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

Delivery drivers employed by the premises shall conduct the collection from the premises and delivery to the customers in a manner that shall not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address. This includes the avoidance of slamming doors, playing loud music, shouting, revving engines and sounding horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the premises, or the delivery address, and shall park considerately without causing any obstruction to the highway.

Notices shall be displayed at the exit to the premises requesting customers to respect the needs of local residents and leave the area quietly.

There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.

Should customers from the premises congregate outside the premises or in the immediate vicinity at night, a member of staff shall request that they leave the area quickly and quietly.

All deliveries shall be made from the front of the premises.

No rubbish, including bottles, shall be moved, removed or placed in outside areas between 20:00 and 07:30.

No deliveries or waste collections to take place between the hours of 20:00 and 07:30 hours and no deliveries or waste collections to take place on Sundays or Bank Holidays.

e) The protection of children from harm

Checklist:

Please tick to indicate agreement


- | | |
|---|---|
| | x |
| • I have made or enclosed payment of the fee. | |
| • I have enclosed the plan of the premises. | x |
| • I have sent copies of this application and the plan to responsible authorities and others where applicable. | x |
| • I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. | x |
| • I understand that I must now advertise my application. | x |
| • I understand that if I do not comply with the above requirements my application will be rejected. | |
| • | |
| [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). | x |

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	15 th November 2018
Capacity	Solicitors & Authorised Agents for the Applicant

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
[REDACTED]			
Post town	Manchester	Postcode	[REDACTED]
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the

relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official

document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-

- evidence of the applicant's own identity – such as a passport,
- evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
- evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

[REDACTED]

>

to: Premises Licensing
<premises.licensing@manchester.gov.uk>

date: 11 Dec 2018, 12:10

subject: Ref: 222991/JC1 - Sicilia Pizza, 116
Mauldeth Road, Manchester, M14 6SQ

mailed-by: manchester.gov.uk

Dear Premises Licensing

I am writing to object to application reference: 222991/JC1, Sicilia Pizza which is in Withington ward. This is on the grounds of prevention of public nuisance.

The opening hours are significantly extended compared to the other late night refreshment venues on Mauldeth Road in Ladybarn District Centre. To approve this application would increase issues around the night time economy. We have long had issues with the refuse storage at the rear of the property, plus issues relating to noise and anti-social behaviour linked to our large student population within the locality.

Furthermore, the venue already appear to be breaking the rules. On the Just Eat website, their opening hours are listed as 5pm to 4am Monday- Sunday. (<https://www.just-eat.co.uk/restaurants-sicilypizza-m19>). This does not give residents and elected members a good level of trust that licence terms will be stuck to. As a local resident I have personally seen the venue open and trading in the early hours of the morning.

For these reasons, I would ask that the licencing committee reject this application and encourage the applicant to significantly reduce their opening hours in any future application.

Best wishes,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This page is intentionally left blank

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. All sales after 23:00 shall be made via telephone / internet and shall be for delivery only. Deliveries shall be carried out by car, and drivers shall collect orders from the rear of the premises. 2. Last telephone request for deliveries shall be no later than 01:30. 3. The premises shall install and maintain a comprehensive digital CCTV system. All public area of the licensed premises, including the street environment shall be covered, enabling facial recognition of every person entering in any light condition. The CCTV cameras shall continually record while the premises are open to either the public or for deliveries, and recordings shall be kept available and unedited for a minimum of 28 days. 4. All fire equipment will be maintained and inspected as requested by the manufacturer. 5. The area outside the premises shall be kept clean and tidy and the staff shall be required to remove all store associated litter on a regular basis throughout the licence hours, and in particular shall tidy away any litter at the conclusion of the licensing hours. 6. Litter bins shall be provided at the premises in sufficient quantity to ensure that customers can adequately dispose of any litter. 7. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times. 8. Delivery drivers employed by the premises shall conduct the collection from the premises and delivery to the customers in a manner that shall not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address. This includes the avoidance of slamming doors, playing loud music, shouting, revving engines and sounding horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the premises, or the delivery address, and shall park considerably without causing any obstruction to the highway. 	n/a	Applicant

Schedule of Licence Conditions

<p>9. Notices shall be displayed at the exit to the premises requesting customers to respect the needs of local residents and leave the area quietly.</p> <p>10. There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.</p> <p>11. Should customers from the premises congregate outside the premises or in the immediate vicinity at night, a member of staff shall request that they leave the area quickly and quietly</p> <p>12. All deliveries shall be made from the front of the premises.</p> <p>13. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 20:00 and 07:30.</p> <p>14. No deliveries or waste collections to take place between the hours of 20:00 and 07:30 hours and no deliveries or waste collections to take place on Sundays or Bank Holidays.</p>		
Conditions proposed by objectors	Agreed	Proposed by
	n/a	none

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

Document is Restricted

This page is intentionally left blank

**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 7 January 2019

Subject: Peaky Blinders (Sakana), 23 Peter Street, Manchester, M2 5QJ - Premises Licence variation 222984

Report of: Head of Planning, Building Control and Licensing

Summary

Application for the variation of a premises licence which has attracted objections.

Recommendations

That the Committee determine the application.

Wards Affected:

Deansgate

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 Policy and implementation 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	
---	--

Full details are in the body of the report, along with any implications for:

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

Name: Fraser Swift
Position: Principal Licensing Officer
Telephone: 0161 234 1176
E-mail: f.swift@manchester.gov.uk

Name: Dave Skelly
Position: Technical Licensing Officer
Telephone: 0161 234 4915
E-mail: d.skelly@manchester.gov.uk

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
Any further documentary submissions by any party to the hearing

1. Introduction

- 1.1 On 19/11/2018, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of Peaky Blinders, (formerly Sakana), 23 Peter Street, Manchester, M2 5QJ in the Deansgate ward of Manchester. A location map of the premises is attached at Appendix 1.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. Current Licence

- 2.1 The premises licence holder is PB Manchester Ltd and a copy of the current licence is attached at Appendix 5.

3. The Application

- 3.1 A copy of the application is attached at Appendix 2.
- 3.2 The variation is to:
 - Amend the hours for licensable activities.
 - Revise the layout plans of the premises in respect of works to the ground floor; and
 - to Remove condition 6 of Annex 3, in relation to New Year's Eve – "Hours for licensable activities on New Year's Eve shall be restricted to 0200".
- 3.2.1 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 application.
- 3.2.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at Appendix 2.

3.3 **Activities unsuitable for children**

- 3.3.1 The applicant 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.

3.4 **Steps to promote the licensing objectives**

- 3.4.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.
- 3.4.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at Appendix 3.

3.5 **Further documentation accompanying the application**

- 3.5.1 The applicant has submitted the following documents in support of their application, which are included at Appendix 6:
- New plan of the premises

4. **Relevant Representations**

- 4.1 A total of 2 relevant representations were received in respect of the application (Appendix 4). The personal details of all members of the public have been redacted. Original copies of these representation will be available to the Committee at the hearing.

Responsible Authorities:

- Greater Manchester Police;
- MCC Licensing and Out of Hours Compliance Team;

- 4.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	GMP visited the premises on 16/12/18 and found that the premises, were already operating under the new proposed layout plan, whilst the application to vary the layout was still in consultation. It was also found that the operator of the premises, was unaware of the conditions on the licence.	Refuse

Licensing and Out of Hours Compliance	Concerns in relation to public nuisance associated with external smoking area and queuing, as well as in relation to the lateness of the proposed terminal hours.	Grant with conditions
--	---	-----------------------

- 4.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at Appendix 3.

5. Key Policies and Considerations

5.1 Legal Considerations

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

5.2 New Information

- 5.2.1 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.

5.3 Hearsay Evidence

- 5.3.1 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.

5.4 The Secretary of State's Guidance to the Licensing Act 2003

- 5.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. 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.
- 5.4.2 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.

- 5.4.3 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.

5.5 **Manchester Statement of Licensing Policy**

- 5.5.1 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.
- 5.5.2 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.
- 5.5.3 Section 4 of the Policy (Operation of the Policy) sets out that an opposed application that complies with the Policy will not necessarily be granted, nor will an opposed application that does not comply with it necessarily be refused.
- 5.5.4 Where there is objection to an operating schedule that departs from the Policy, the Panel hearing an opposed application will normally expect to be given a good reason for the departure if it is to be asked to make an exception to the Policy.
- 5.5.5 The licensing authority will not interfere with an operating schedule that does not comply with the Policy where the steps proposed are sufficient to meet the licensing objectives in the individual circumstances of the case.
- 5.5.6 There are a number of references in the Policy to the licensing authority's expectations of applicants. The licensing authority will not apply the Policy rigidly, but will always have regard to the merits of the case with a view to promoting the licensing objectives.
- 5.5.7 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy:

Section 6: What we aim to encourage

This section identifies certain types of venues and initiatives the licensing authority aims to encourage in order to promote an inclusive evening and night-time economy not simply focused on the consumption of alcohol. We aim to encourage:

- Premises that will extend the diversity of entertainment and attract a wider range of participants
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
- National cultural institutions, global sports events and cultural festivals

- Non-drink-led premises, including restaurants, cafes, theatres and cinemas
- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application
- Participation in Pubwatches, off licence forums and other crime-reduction partnerships
- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

Section 7: Local factors

This section sets out key issues that applicants are expected to take into account relevant to the individual characteristics of the premises when preparing their operating schedule and address any local factors relevant to their premises.

Having regard to the grounds of the representations made, the Panel are recommended to have regard to the following Factors:

- Identified risk factors specific to the licensed premises.
- Evidence of pre-existing problems in the area.
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance.
- Ability to clean and maintain the street scene.

Section 8: Manchester's standards to promote the licensing objectives

This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be appropriate to apply in every situation to every premises, and applicants are not obliged to include all standards in their operating schedule. The degree to which standards would be appropriate is expected to be proportionate to the risk posed against the promotion of the licensing objectives having regard to the individual circumstances of the premises. The standards are not exhaustive and the licensing authority will have regard to any relevant issues raised in any representation that may fall outside them.

MS1 Implement effective security measures at the premises.

MS2 Effective general management of the premises.

MS3 Responsible promotion and sale of alcohol.

MS8 Prevent noise nuisance from the premises.

MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, and table and chair areas on the highway).

6. Conclusion

6.1 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.

6.2 In considering the matter, the Committee should take into account any representations or objections that have been received from responsible authorities or other persons, 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.

6.3 The Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:

- a) To grant the licence subject to the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate;
- b) To reject the whole or part of the application

6.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.

6.5 However, conditions should not be imposed on a licence which are unrelated to the variation sought.

6.6 All licensing determinations should be considered on the individual merits of the application.

6.7 The authority’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.

6.8 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.

6.9 The Panel is asked to determine the application.

This page is intentionally left blank



PREMISE NAME:	Peaky Blinders
PREMISE ADDRESS:	Sakana, 23 Peter Street, Manchester, M2 5QJ
WARD:	Deansgate
HEARING DATE:	07/01/2019



Sakana
Sakana, 23 Peter Street, Manchester, M2 5QJ

Application to vary a premises licence under the Licensing Act 2003**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We PB Manchester Limited

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 11426491
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Ground and First Floor 23 Peter Street

Post town	Manchester	Postcode	M2 5QJ
-----------	------------	----------	--------

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£95,500.00

Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	
Post town	
Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒

Yes

☐

No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☐ No**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

The times during which the licensable activities are authorised, be extended along with the opening hours.

The premises is also currently undergoing works and amended plans are enclosed. The works involve to the ground floor, reconfiguration and relocation of toilets, removal of dumb waiter, installation of storage room, bar and goods entrance, and to the first floor removal of dumb waiter and existing stud and plant and installation of glazed balustrade.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3)

Please tick all that apply

- | | |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

☒

Supply of alcohol (if ticking yes, fill in box J)

☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finis h	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	10:00	03:00	Please give further details here (please read guidance note 5)		
Tue	10:00	03:00			
Wed	10:00	03:00	<u>State any seasonal variations for the exhibition of films</u> Chinese New Year and New Year's Day: one additional hour; Friday, Saturday and Sunday preceding a bank holiday Monday: one additional hour; New Year: From the start time on New Year's Eve to the terminal hour on New Year's Day; The day British Summer Time commences: one additional hours following the terminal hour. Please note if the application is approved, we require removal of condition 6, annexe 3, in respect of New Years Eve.		
Thur	10:00	03:00			
Fri	10:00	04:00	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7) See above		
Sat	10:00	04:00			
Sun	10:00	03:00			

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	10:00	03:00			
Tue	10:00	03:00			
Wed	10:00	03:00	<u>State any seasonal variations for the performance of live music</u> Chinese New Year and New Year's Day: one additional hour; Friday, Saturday and Sunday preceding a bank holiday Monday: one additional hour; New Year: From the start time on New Year's Eve to the terminal hour on New Year's Day; The day British Summer Time commences: one additional hours following the terminal hour. Please note if the application is approved, we require removal of condition 6, annexe 3, in respect of New Years Eve.		
Thur	10:00	03:00			
Fri	10:00	04:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7) See above		
Sat	10:00	04:00			
Sun	10:00	03:00			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	10:00	03:00			
Tue	10:00	03:00			
Wed	10:00	03:00			
Thur	10:00	03:00	<u>State any seasonal variations for the playing of recorded music</u> Chinese New Year and New Year's Day: one additional hour; Friday, Saturday and Sunday preceding a bank holiday Monday: one additional hour; New Year: From the start time on New Year's Eve to the terminal hour on New Year's Day; The day British Summer Time commences: one additional hours following the terminal hour. Please note if the application is approved, we require removal of condition 6, annexe 3, in respect of New Years Eve.		
Fri	10:00	04:00			
Sat	10:00	04:00			
Sun	10:00	03:00			
			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
			See above		

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	23:00	03:00			
Tue	23:00	03:00			
Wed	23:00	03:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6) Chinese New Year and New Year's Day: one additional hour; Friday, Saturday and Sunday preceding a bank holiday Monday: one additional hour; New Year: From 23:00 on New Year's Eve to 06:00 on New Year's Day; The day British Summer Time commences: one additional hours following the terminal hour. Please note if the application is approved, we require removal of condition 6, annexe 3, in respect of New Years Eve.		
Thur	23:00	03:00			
Fri	23:00	04:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Sat	23:00	04:00	See above		
Sun	23:00	03:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> Chinese New Year and New Year's Day: one additional hour; Friday, Saturday and Sunday preceding a bank holiday Monday: one additional hour; New Year: From the start time on New Year's Eve to the terminal hour on New Year's Day; The day British Summer Time commences: one additional hours following the terminal hour. Please note if the application is approved, we require removal of condition 6, annexe 3, in respect of New Years Eve. <u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> See above		
Mon	10:00	03:00			
Tue	10:00	03:00			
Wed	10:00	03:00			
Thur	10:00	03:00			
Fri	10:00	04:00			
Sat	10:00	04:00			
Sun	10:00	03:00			

K

<p>Please highlight 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 (please read guidance note 10).</p> <p>Possibility of showing films for restricted age groups.</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6) Chinese New Year and New Year's Day: one additional hour; Friday, Saturday and Sunday preceding a bank holiday Monday: one additional hour; New Year: From the start time on New Year's Eve to the terminal hour on New Year's Day; The day British Summer Time commences: one additional hours following the terminal hour.
Day	Start	Finish	
Mon	10:00	03:30	
Tue	10:00	03:30	
Wed	10:00	03:30	
Thur	10:00	03:30	
Fri	10:00	04:30	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7) See above
Sat	10:00	04:30	
Sun	10:00	03:30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Condition 6 of annexe 3, in relation to New Years Eve.

Please tick as appropriate

- I have enclosed the premises licence ☒
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

Where a premises licence authorises the supply of alcohol :

1. No supply of alcohol may be made under the Premises Licence:-

a) At a time when there is no Designated Premises Supervisor in respect of the premises licence, or

b) At a time when the Designated Premises Supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3. Door Supervisors and Security Attendants at all times when on duty will wear an identity badge, conspicuously displayed and in a form and manner prescribed by the SIA.

4. CCTV shall be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises and all areas where the sale/supply of alcohol occurs. Equipment shall be maintained in good working order correctly timed & date stamped; recordings shall be kept in date order, numbered consequentially and kept for a period of 31 days and handed to Police on request. The Recording equipment and tapes shall be kept in a secure environment under the control of the Licensee or other responsible named individual. Appropriate signage representative of the above shall be placed in conspicuous positions

5. Customers shall be actively encouraged to leave the premises quietly.

6. Children accompanied by an adult, shall be allowed on the premises until 19.30 after which time no children shall be allowed on the premises.

7. All windows and doors will remain closed from 21:00 onwards to abate noise pollution.

8. The outside drinking area will not be used after 23:00

9. All health and safety/fire safety etc requirements will be complied with

10. (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children–

(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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

- (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;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on— (i) the outcome of a race, competition or other event or process, or (ii) the likelihood of anything occurring or not occurring;
- (e) 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. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability). The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- (3) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (4) 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 a holographic mark. The responsible person shall 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; and
- (b) customers are made aware of the availability of these measures.
- (5) 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.
- (6) For the purposes of the condition set out in paragraph 1 –
- (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 rate 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.
- (7) Where the permitted price given by Paragraph (b) of paragraph 2 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.
- (8)(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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. (2) 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."

b) The prevention of crime and disorder

See above

c) Public safety

See above

d) The prevention of public nuisance

See above

e) The protection of children from harm

See above

Checklist:**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	12 November 2018
Capacity	Solicitor

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Caroline Farrington
Morgan Finch Solicitors
Hesketh Mount
92-96 Lord Street

Post town	Southport	Post code	PR8 1JR
Telephone number (if any)		01704 504361	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) info@morganfinchsolicitors.co.uk			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority

- concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Door Supervisors and Security Attendants at all times when on duty will wear an identity badge, conspicuously displayed and in a form and manner prescribed by the SIA. 2. CCTV shall be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises and all areas where the sale/supply of alcohol occurs. Equipment shall be maintained in good working order correctly timed & date stamped; recordings shall be kept in date order, numbered consequentially and kept for a period of 31 days and handed to Police on request. The Recording equipment and tapes shall be kept in a secure environment under the control of the Licensee or other responsible named individual. Appropriate signage representative of the above shall be placed in conspicuous positions 3. Customers shall be actively encouraged to leave the premises quietly. 4. Children accompanied by an adult, shall be allowed on the premises until 19.30 after which time no children shall be allowed on the premises. 5. All windows and doors will remain closed from 21:00 onwards to abate noise pollution. 6. The outside drinking area will not be used after 23:00 7. All health and safety/fire safety etc requirements will be complied with. 	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
None	N/A	GMP
<p>To uphold the licensing objectives in relation to prevention of public nuisance point 3 part M of variation should be amended to</p> <ol style="list-style-type: none"> 1. Customers should be encouraged to leave the premises quietly with at least 1 member of door staff to encourage and assist customers to leave the area in a quiet and timely manner. 	No	Licensing and Out of Hours

Schedule of Licence Conditions

<p>Point 6 should be amended to read (as there is no outside drinking area)</p> <p>2. The outside smoking area shall be monitored by at least one member of door staff to ensure it is well managed and persons leaving the premises to smoke only do so in the designated area.</p> <p>3. To uphold the licensing objectives propose that the opening hours be:</p> <p style="padding-left: 40px;">Sunday to Thursday 10:00 to 02:30 Friday and Saturday 10:00 to 03:30</p> <p style="padding-left: 40px;">Operating hours for supply of alcohol: Sunday to Thursday 10:00 to 02:00 Friday and Saturday 10:00 to 03:00</p> <p style="padding-left: 40px;">Operating hours for provision of late night refreshment: Sunday to Thursday 10:00 to 02:00 Friday and Saturday 10:00 to 03:00</p> <p style="padding-left: 40px;">Operating hours for exhibition of films; Live music; Recorded music: Sunday to Thursday 10:00 to 02:00 Friday and Saturday 10:00 to 03:00</p>		
---	--	--

GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	
Address including postcode	1 st Floor Manchester Town Hall Extension Lloyd Street Manchester
Contact Email Address	
Contact Telephone Number	

About the Premises

Application Reference No.	LPV 222984
Name of the Premises	Sakana (Peaky Blinders Bar)
Address of the premises including postcode	23 Peter Street, Manchester M2 5QJ

Your Representation

Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the variation on the licensing objectives on and in the vicinity of the premises in question.

Please accept this as formal notification of the Greater Manchester Police objection to the premises licence in relation to the above premises on the grounds of Prevention of Crime and Disorder and the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.

The application seeks to extend the licensable hours to remove a condition from the operating schedule and to alter the layout of the premises and the last date for representations was Monday 17th December 2018.

Licensing officers from GMP visited the premises on the early morning of Sunday 16th December and found that the premises were open and carrying out licensable activities with the new layout already in place. The entire premises was set out as a bar and there were no persons dining or any sign of a designated dining area.

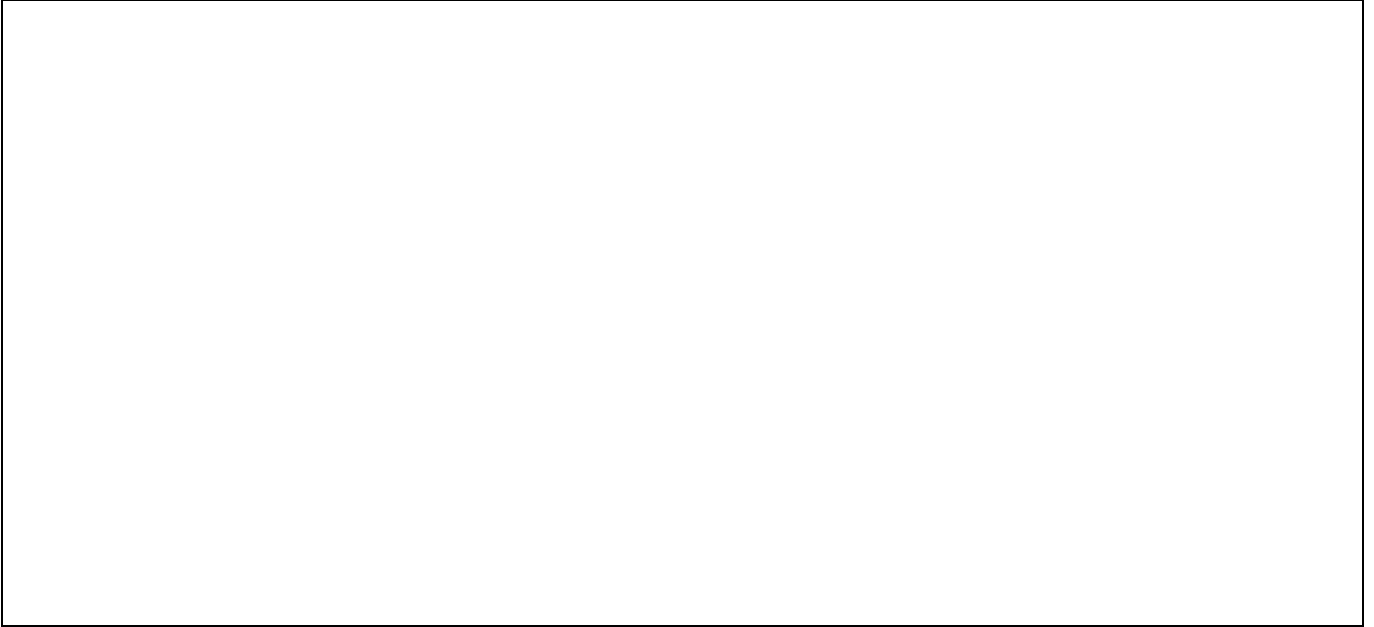
This is despite condition 17 in Annex 2 of the Premises Licence which states that “ **No Less than 2/3 of the Trading Area shall be set out for Dining** “ and condition 3 in Annex 3 states that “ **The first floor of the Premises (Ocean Treasure) shall operate as a restaurant with ancillary bar. On the first floor, alcohol shall be sold either to persons dining at the premises, or pre and post meal drinks for those diners** “


There was no evidence anywhere within the premises of any dining taking place and the premises was operating solely as a bar, with large numbers of vertical drinkers.

The layout changes have not been granted yet so the premises were operating in breach of the 2 conditions highlighted and in breach of their plans.

The operator of the premises was spoken to on the night and it was clear that he was unaware of these conditions so GMP would need to have another more formal meeting with the applicant to discuss the way the premises are to be operated and this needs to take place before we would be in agreement to what is being proposed within this variation.

We therefore ask that this variation is refused.



 MANCHESTER CITY COUNCIL	
Licensing & Out of Hours Compliance Team - Representation	
Name	[REDACTED]
Job Title	Licensing and Out of Hours Officer
Department	Growth and Neighbourhoods
Address	The Neighbourhoods Service Growth and Neighbourhoods Licensing and Out of Hours Team Manchester City Council PO Box 532, Town Hall Manchester M60 2LA
Email Address	[REDACTED]
Telephone Number	[REDACTED]

Premise Details	
Application Ref No	M/222984
Name of Premises	Peaky Blinders
Address	Ground and First Floor 23 Peter Street, M2 5QJ

Representation
<p>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.</p> <p>The Licensing and Out of Hours Team have assessed the likely impact of the late night premise at Ground and First Floor, 23 Peter Street taking into account a number of factors and the licensing objectives.</p> <p>The premises is located on Peter Street in the City Centre. Peter Street is a busy area with a mixture of late night drinking establishments and clubs in the immediate vicinity with residential properties nearby which have historically been a source of noise complaints relating to noise outbreak from the many licensed premises on Peter Street. There are regular issues along Peter Street with queuing for entry to the licensed premises, customers wishing to smoke outside the premises and later with dispersal as customers leave the licenced premises and leave the area</p> <p>Manchester City Council Statement of Licensing Policy 2016–2021 states</p> <p>7.12 Where its discretion is engaged, the authority will give particular consideration to the general character of the surrounding area, including crime and antisocial behaviour (ASB) levels, litter problems, issues regarding underage or proxy sales, and noise complaints. Where there are demonstrable problems linked to the operation of licensed premises in the area and the evidence demonstrates problems with licensed premises in the area, the licensing authority will, in exercising its discretion, take this into consideration when deciding what (if any) steps are appropriate and proportionate in the individual case.</p>

7.13 The authority is mindful of problems that can arise around the clustering of licensed premises, where a number of premises closing simultaneously can lead to large numbers of people leaving at the same time, thereby increasing the risk of disorder and disturbance, as well as creating spikes in demand for taxis and other sources of transport or at takeaways.

7.14 Areas with a high density of licensed premises that operate as well-known entertainment zones draw in large numbers of legitimate users, a minority of whom may become caught up in unplanned violent or disorderly incidents, or may generate public nuisance, particularly if under the influence of alcohol. They may also attract a number of 'illegitimate' users who purposely target the area in order to exploit various criminal opportunities (e.g. by using the anonymity of large crowds to conduct theft, or preying upon intoxicated and therefore vulnerable persons).

The current premises licence opening hours are:
Monday to Sunday 10:00 to 02:00

Proposed:
Sunday to Thursday 10:00 to 03:30
Friday and Saturday 10:00 to 04:30

The Current hours for supply of alcohol are:
Monday to Sunday 10:00 to 02:00

Proposed:
Sunday to Thursday 10:00 to 03:30
Friday and Saturday 10:00 to 04:30

The Current hours for provision of late night refreshment are:
Monday to Sunday 10:00 to 02:00

Proposed:
Sunday to Thursday 10:00 to 03:30
Friday and Saturday 10:00 to 04:30

The current hours for exhibition of films; Live music; Recorded music are:
Monday to Sunday 10:00 to 02:00

Proposed
Sunday to Thursday 10:00 to 03:00
Friday and Saturday 10:00 to 04:00

The Licensing and Out of Hours Team consider the conditions '**appropriate and proportionate**' uphold the licensing objectives.

- *Prevention of Crime and Disorder*
- *Public Safety*
- *Prevention of Public Nuisance*
- *Protection of Children from Harm*

To uphold the licensing objectives in relation to prevention of public nuisance point 5 part M of variation should be amended to

Customers should be encouraged to leave the premises quietly with at least 1 member of door staff to encourage and assist customers to leave the area in a quiet and timely manner.

Point 6 should be amended to read (as there is no outside drinking area) The outside smoking area shall be monitored by at least one member of door staff to ensure it is well managed and persons leaving the premises to smoke only do so in the designated area.

To uphold the licensing objectives propose that the opening hours be:

Sunday to Thursday 10:00 to 02:30

Friday and Saturday 10:00 to 03:30

Operating hours for supply of alcohol:

Sunday to Thursday 10:00 to 02:00

Friday and Saturday 10:00 to 03:00

Operating hours for provision of late night refreshment:

Sunday to Thursday 10:00 to 02:00

Friday and Saturday 10:00 to 03:00

Operating hours for exhibition of films; Live music; Recorded music:

Sunday to Thursday 10:00 to 02:00

Friday and Saturday 10:00 to 03:00

Recommendation:

Approve with Conditions (Outlined Above)

This page is intentionally left blank



MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	162627
Granted	01/07/2014
Latest version	Transfer 221449 and DPS variation 221457 Granted 01/11/2018

Part 1 - Premises details

Name and address of premises
Sakana Ground & First Floor, 23 Peter Street, Manchester, M2 5QJ
Telephone number
0161 850 1522

Licensable activities authorised by the licence
<ol style="list-style-type: none"> 1. The sale by retail of alcohol*. 2. The provision of regulated entertainment, limited to: Exhibition of films; Live music; Recorded music; 3. The provision of late night refreshment. <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	0200	0200	0200	0200	0200	0200	0200
The sale of alcohol is licensed for consumption on the premises only.							
Seasonal variations and Non-standard Timings:							
<u>Chinese New Year's Eve and New Year's Day:</u> One additional hour							
<u>Friday, Saturday and Sunday preceding a Bank Holiday Monday:</u> One additional hour							
<u>New Year:</u> From the start time on New Year's Eve to the terminal hour for New Year's Day							
On the day British Summer Time commences: one additional hour following the terminal hour.							

Exhibition of films; Live music; Recorded music							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	0200	0200	0200	0200	0200	0200	0200
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
<u>Chinese New Year's Eve and New Year's Day:</u> One additional hour							
<u>Friday, Saturday and Sunday preceding a Bank Holiday Monday:</u> One additional hour							
<u>New Year:</u> From the start time on New Year's Eve to the terminal hour for New Year's Day							
On the day British Summer Time commences: one additional hour following the terminal hour.							

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0200	0200	0200	0200	0200	0200	0200
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
Chinese New Year's Eve and New Year's Day: One additional hour							
Friday, Saturday and Sunday preceding a Bank Holiday Monday: One additional hour							
New Year: From 2300 New Year's Eve until 0500 New Year's Day							
On the day British Summer Time commences: one additional hour following the terminal hour.							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	0230	0230	0230	0230	0230	0230	0230
Seasonal variations and Non-standard Timings:							
Chinese New Year's Eve and New Year's Day: One additional hour							
Friday, Saturday and Sunday preceding a Bank Holiday Monday: One additional hour							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day							
On the day British Summer Time commences: one additional hour following the terminal hour.							

Part 2

Details of premises licence holder	
Name:	PB Manchester Ltd
Address:	Ground & 1st floor, 23 Peter Street, Manchester, M2 5QR
Registered number:	11426491

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	Simon Yip
Address:	
Personal Licence number:	10379
Issuing Authority:	Stockport Metropolitan Borough Council

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

personal licence is suspended.

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.
 - (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.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the 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) “valued 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. Any area where customers have legitimate access shall be sufficiently illuminated for the purposes of CCTV.
2. CCTV shall be in operation at all times the premises is open to trade.
3. All CCTV recorded images shall have sufficient clarity / quality / definition to enable facial recognition.
4. CCTV shall be kept in an unedited format for a minimum period of 28 days.
5. CCTV shall be maintained on a regular basis and kept in good working order at all times.
6. CCTV maintenance records shall be kept with details of contractor used and work carried out shall be recorded.
7. Where CCTV is recorded on to a hard drive system any DVDs subsequently produced shall be in a format so it can be played back on a standard personal computer or standard DVD player.
8. Where CCTV is recorded on to a hard drive system, the hard drive system shall have a minimum of 28-day roll over recording period.
9. Any person left in charge of the premises shall be trained in the use of any such CCTV equipment and able to produce / download / burn CCTV images upon request by a person from a responsible authority.
10. Plans indicating the position of CCTV cameras shall be submitted to the responsible bodies within one week of the granting of a licence requiring CCTV.
11. Where the recording is on a removable medium (ie compact disc, flash card etc), a secure storage system to store those recording mediums shall be provided.
12. Whenever licensable activities continue after midnight a minimum of two SIA registered door staff shall be on duty no later than 2200. A further door supervisor shall be employed based on capacity at a ratio of 1:100 customers (e.g. 290 customers = 3 x SIA).
13. They shall remain on duty until the premises are closed and shall clearly display their SIA badges on their person at all times when on duty.
14. Door staff shall sign on and off duty in a book kept for that purpose and all entries shall be checked and signed by the DPS or their nominated deputy.
15. An additional book shall be kept at the premises which shall contain the full names, current addresses, dates of birth, badge number and up to date photograph of all door staff who work at the premises.
16. No 'stand-alone' dance events shall take place at the premises.
17. No less than 2/3rds of the trading area shall be set out for dining.
18. Signs requesting that customers leave the premises quietly having respect for nearby residents shall be displayed at the exit.
19. No glassware shall be collected from the premises or be disposed of into outside waste receptacles between 2200 and 0800.
20. A Taxi ringback scheme shall be operated.
21. A challenge 25 policy shall be in force at all times, requiring production of valid photographic ID.
22. A refusals book containing records of instances/persons who have been refused the supply of alcohol on the basis of their perceived age shall be completed and maintained.
23. Staff shall be trained (and undergo regular refresher training) in respect of the sale of all age-restricted goods (including awareness/prevention of proxy sales) - such training sessions shall be documented and records made available to authorised persons from Responsible Authorities.

Annex 3 – Conditions attached after hearing by the licensing authority

1. Noise from patrons of the premises or from regulated entertainment at the premises shall not cause a

noise nuisance at the nearest sensitive receptor.

2. Written policies with regards to smoking, queuing and dispersal shall be approved with Environmental Health and Greater Manchester Police – these policies shall not be modified otherwise than in consultation with and with the agreement of Environmental Health and Greater Manchester Police.
3. The first floor of the premises (Ocean Treasure) shall operate as a restaurant with ancillary bar. On the first floor, alcohol shall be sold either to persons dining at the premises, or for pre and post meal drinks for those diners.
4. No dancing shall be permitted on the first floor of the premises (subject to the condition below).
5. On giving no less than 7 days' notice to GMP of a private, pre-arranged function which is due to take place on the first floor, this area may be used for dancing subject to a GMP veto. Such notice shall be given to GMP by email and shall include the nature of the event, organisers name and telephone number. If GMP objects to the event in writing (by email) within 48 hours, no dancing shall be permitted during the function.
6. Hours for licensable activities on New Year's Eve shall be restricted to 0200.
7. On Thursdays, Fridays and Saturdays, a minimum of 2 SIA door supervisors shall be employed from 2200. Further door supervisors shall be employed based on capacity at a ratio of 1:100 customers (e.g. 290 customers = 3 x SIA).
8. On notification to the DPS by GMP or Cityco of the name and photograph of any "undesirable" the DPS shall use his/her best endeavours to ensure that such person is not admitted to the premises.
9. The premises shall operate a music policy, dress code policy, glass policy and emergency response plan, which shall be agreed with GMP and lodged with the licensing authority.

Annex 4 – Plans

See attached

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

Document is Restricted

This page is intentionally left blank



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 223045
Name: Munch
Address: 186 Stockport Road, Manchester, M13 9AB
Ward: Ardwick
Application Type: Premises Licence (new)
Name of Applicant: Munch MCR Ltd
Date of application: 20/11/2018

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

Provision of late night refreshment: Mon to Sun 11pm to 12 midnight
--

Opening hours: Mon to Sun 11am to 12 midnight
--

Representations received	
---------------------------------	--

Greater Manchester Police	Grounds for objection - Prevention of Crime and Disorder, Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm
Licensing & Out of Hours Compliance	Grounds for objection - Public Nuisance

Agreements between parties

Note: Conditions 19 – 27 duplicate those also agreed with Licensing & Out of Hours

Greater Manchester Police:

1. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.
2. As a late night refreshment premises, custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.
3. CCTV has been installed both inside and directly outside the premises, notices stating that 24hr CCTV is in operation will be clearly displayed on the premises
4. We will liaise and work with the Grove Village Housing association and the local community policing officers to promote the interests of the community and support any crime prevention initiatives
5. All regulations and certifiable activities shall be appropriately monitored, observed and where necessary recorded. All records shall be and kept and be available for inspection as necessary. All staff shall be made aware of any public safety condition attached to the premises licence that requires the recording of such information.
6. Adequate access is provided for emergency vehicles.
7. All parts of the premises and all fittings and apparatus therein, door fastenings and notices and the seating, lighting, heating, electrical, ventilation, sanitary accommodation, washing facilities and other installations, will be maintained at all times in good order and in a safe condition.
8. Prominent, clear and legible notices will be displayed at all exits requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.
9. Deliveries of materials necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.
10. The Licensee will ensure that staff who arrive early morning or depart late at night when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.
11. Customers will be asked not to stand around talking in the street outside the premises; and asked to leave the vicinity quickly and quietly.
12. The movement of bins and rubbish outside the premises will be kept to a minimum after 10.00pm. This will help to reduce the levels of noise produced by the premises.
13. Bright lights on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.
14. Adequate waste receptacles for use by customers will be provided in the local vicinity.
15. We will regularly check on a daily basis the state of the outside of the premises and clear away any litter that may have been left by customers.
16. Large groups of children will not be allowed on the premises unless they are accompanied by an adult
17. Young children will need to be accompanied by an adult at all times
18. No unaccompanied children will be allowed on the premises in the evening time.

19. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
20. Notices shall be prominently displayed at the exit of the premises, requesting patrons to respect the needs of local residents and leave the area quietly.
21. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises is open to the public.
22. Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.
23. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 22:00 and 08:00 hours.
24. No deliveries must be made to the premises between the hours of 22:00 and 08:00 hours.
25. Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery/ collection address. This includes avoidance of slamming doors, playing loud music, shouting, over-revving engines and sounding horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the delivery/collection address and will park considerately without causing any obstruction to the highway.
26. Sufficient extraction and ventilation systems shall be installed and maintained at the premises. Any extraction and ventilation systems operating from the premises must not produce noise so as to unreasonably disturb local residents.
27. All orders are to be taken and dispatched from the premises prior to 00:00 closing.

Licensing & Out of Hours Compliance:

1. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
2. Notices shall be prominently displayed at the exit of the premises, requesting patrons to respect the needs of local residents and leave the area quietly.
3. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises is open to the public.
4. Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.
5. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 22:00 and 08:00 hours.
6. No deliveries must be made to the premises between the hours of 22:00 and 08:00 hours.
7. Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery/ collection address. This includes avoidance of slamming doors, playing loud music, shouting, over-revving engines and sounding horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the delivery/collection address and will park considerately without causing any obstruction to the highway.
8. Sufficient extraction and ventilation systems shall be installed and maintained at the premises. Any extraction and ventilation systems operating from the premises must not produce noise so as to unreasonably

disturb local residents.

9. All orders are to be taken and dispatched from the premises prior to 00:00 closing.

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



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 223259
Name: Five Guys
Address: Unit 4, University Square, 142 Oxford Road,
Manchester, M13 9GP
Ward: Hulme
Application Type: Premises Licence (new)
Name of Applicant: Five Guys JV Ltd
Date of application: 20/11/2018

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

Provision of regulated entertainment (films, recorded music):

Sun to Wed 8am to 11.30pm

Thu to Sat 8am to 12.30am

Non Standard Timings: To terminate at 2.30am on New Year's Eve

Provision of late night refreshment:

Thu to Sat 11pm to Midnight

Non Standard Timings: To terminate at 2am on New Year's Eve

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

Sun to Wed 11am to 11pm

Thu to Sat 11am to Midnight

Non Standard Timings: To terminate at 2am on New Year's Eve

Opening hours:

Sun to Wed 8am to 11.30pm

Thu to Sat 8am to 12.30am

Non Standard Timings: To terminate at 2.30am on New Year's Eve

Representations received	
Licensing & Out of Hours Compliance	Grounds for objection, risk of public nuisance, specifically noise nuisance and litter

Agreements between parties
<p>Licensing & Out of Hours Compliance:</p> <ol style="list-style-type: none"> 1. Open containers of alcohol shall not be permitted to be taken beyond the boundary of the licensed area; 2. No emptying of bins, deliveries or collection of waste will take place between the hours of 23:00 and 07:00; 3. Suitable and conspicuous notices shall be displayed at entrances and exits requesting patrons to minimise noise when smoking and / or leaving the premises; 4. Staff will conduct regular checks to ensure that glassware is not left unattended within the licensed area of the premises.

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



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 223251
Name: Gorilla
Address: 54-56 Whitworth Street West, Manchester, M1 5WW
Ward: Deansgate
Application Type: Premises Licence variation
Name of Applicant: Zecol Limited
Date of application: 20/11/2018

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

Supply of alcohol for consumption on the premises only:

Current hours: Mon to Sat 10am to 4am, Sun 10am to 3am.

Proposed hours: Mon to Fri 10am to 4am, Sat 9am to 4am, Sun 9am to 3am.

New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.

On the day British Summer Time commences: One additional hour following the terminal hour.

One additional hour on any day preceding a Bank Holiday.

Opening hours:

Current hours: Mon to Sat 10am to 4.30am, Sun 10am to 3am.

Proposed hours: Mon to Fri 10am to 4.30am, Sat 9am to 4.30am, Sun 9am to 3am.

New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.

On the day British Summer Time commences: One additional hour following the terminal hour.

One additional hour on any day preceding a Bank Holiday.

Representations received	
Licensing & Out of Hours Compliance	Risk of public nuisance caused by alcohol abuse and excessive drinking if customers are permitted to consume alcohol without a meal early in the morning.

Agreements between parties
<p>Licensing & Out of Hours Compliance:</p> <p>Between the hours of 09:00 and 10:00 on a Saturday and Sunday, the supply of alcohol shall only be to a person seated taking a table meal there and for consumption by such person as ancillary to their meal.</p>

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