

# Licensing Sub Committee Hearing Panel

Date: Tuesday, 25 September 2018

Time: 10.00 am

Venue: Room 132, Town Hall, Albert Square.

Everyone is welcome to attend this committee meeting.

### **Access to the Town Hall**

Public access to the Town Hall is via the access ramp next to the Lloyd Street entrance. Members of the public should report to the reception desk.

# Membership of the Licensing Sub Committee Hearing Panel

Councillors - Ludford (Chair), Grimshaw and McHale

### **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.

Items for which decisions will be made by the Committee under powers delegated to it under the Council Constitution:-

4. Application for a New Premises Licence for Mollie's Motel Diner, Atherton Street, Manchester, M60 9EA

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### Information about the Committee

The Licensing and Appeals Committee fulfills the functions of the Licensing Authority in relation to the licensing of taxi drivers.

A procedure has been agreed which governs how the Panel will consider such applications.

Decisions made by the Panel will be under delegated authority and will not require to be referred to the Council for approval. Meetings are controlled by the Chair, who is responsible for seeing that the business on the agenda is dealt with properly.

Copies of the agenda are published on the Council's website. Some additional copies are available at the meeting from the Governance Support Officer.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

Smoking is not allowed in Council buildings.

Joanne Roney OBE Chief Executive Level 3, Town Hall Extension, Albert Square, Manchester, M60 2LA

# **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 agenda was issued on **Monday, 17 September 2018** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 6, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA



# Licensing Act 2003 (Hearings) Regulations 2005

Reference: 216448

Name: Mollie's Motel Diner

Address: Atherton Street, Manchester, M60 9EA

Ward: Deansgate

Hearing Date: 25/09/2018

Application Type: Premises Licence (new)

Name of Applicant: Mollie's Motels Limited

**Date of application:** 27/07/2018

### **Summary of application**

Provision of regulated entertainment (films, live music, recorded music):

Mon to Sun 0800 to 0400

Films in Hotel Bedrooms for the benefit of residents shall be permitted 24/7

Provision of late night refreshment:

Mon to Sun 2300 to 0500

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

Mon to Sun 0001 to 0000

For those who are not hotel residents or their bona fide guests:

Mon to Sun 0800 to 0400

Opening hours:

Mon to Sun 0001 to 0000

Representations Received						
Responsible Authority	Grounds For Representation					
Greater Manchester Police	Crime and Disorder, Public     Nuisance and Public Safety					
Licensing & Out of Hours     Compliance	Public Nuisance					
Other Persons						
Local Councillor x 3	Public Nuisance					
Local Resident x 1	Public Nuisance					

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### Considerations

In determining the application, the Sub-Committee must give appropriate weight to:

- a) the steps that are appropriate to promote the licensing objective(s);
- b) the representations (including supporting information) presented by all the parties;

In determining the application, the Sub-Committee must also have regard to:

- c) the s182 Guidance to the Licensing Act 2003 by the Home Secretary;
- d) Manchester City Council's Statement of Licensing Policy
- e) The Licensing Act 2003 and the regulations made there under
- f) Licensing Objectives

Reasons should be given for any departure from c and d above.

### New premises licence

The Sub-Committee must take such of the steps under section 17(4) of the Licensing Act 2003 (if any), that it considers appropriate for the promotion of the licensing objectives. The steps are:

- 1. To grant the licence subject to:
  - the conditions consistent with the operating schedule accompanying the application, modified to such extent as the authority considers appropriate for the promotion of the licensing objectives, and
  - b) any mandatory conditions that must be included in the licence
- 2. To exclude from the scope of the licence any of the licensable activities to which the application relates;
- 3. To refuse to specify the person proposed in the application as the designated premises supervisor;
- 4. To reject the application.

The conditions of the licence are modified if any of them is altered or omitted or any new condition is added. Modification of the condition of the premises licence includes restricting the times at which licensable activities authorised by the licence can take place.

Where the Sub-Committee consider that none of the above steps are appropriate for the promotion of the licensing objectives, the application should be granted in the terms applied for.

### **Summary of representations**

Please be advised that the below is a summary of representations received only. Copies of the representations are included at the back of this document for members and other interested parties to refer to as necessary.

### **Greater Manchester Police (GMP) - AGREED**

Greater Manchester Police believe that the granting of this application will lead to issues with Crime and Disorder, Public Nuisance and Public Safety. Specifically GMP believe the condition offered in the application relating to door staff should be more specific and stronger to uphold the licensing objectives.

If the licence were to be granted GMP request the following condition replace the existing condition related to door staff proposed in the application:

 On Friday and Saturday a minimum of 1 SIA registered door staff shall be employed at the premises from 2200 hours until 0400 hours. At all other times the requirement for door staff shall be determined in accordance with a risk assessment carried out by the DPS. When employed door staff shall wear hi-vis armbands.

### Licensing & Out of Hours Compliance Team (LOOH) - AGREED

Licensing & Out of Hours Compliance Team believes that the granting of this application will lead to issues with Public Nuisance, Public Safety and Protection of Children from Harm, specifically noise nuisance.

If the licence were to be granted LOOH would like the following conditions to be added:

- 1. All staff shall be trained in:
  - a) How to refuse service.
  - b) Child welfare training including child exploitation in the hospitality industry.
  - c) Action to be taken in the event of an emergency and reporting an incident to the emergency services.
- 2. All external ground floor fire exit doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened.
- 3. The premises licence holder shall ensure that all times when the public is present there is at least one competent person able to administer first aid, that an adequate and appropriate supply of first aid equipment and materials is available on the premises, that adequate records are retained in relation to the supply of any first aid treatment.
- 4. All staff on duty at the premises shall be trained in fire safety and evacuation procedures for the premises and aware of their individual responsibilities, this includes any door supervisors.
- 5. Staff training shall include procedures to deal effectively with emergency incidents including:
  - a) Reporting an emergency to the relevant emergency service.
  - b) Safe evacuation of customers.
  - c) Dealing with terrorist threadsor incidents.

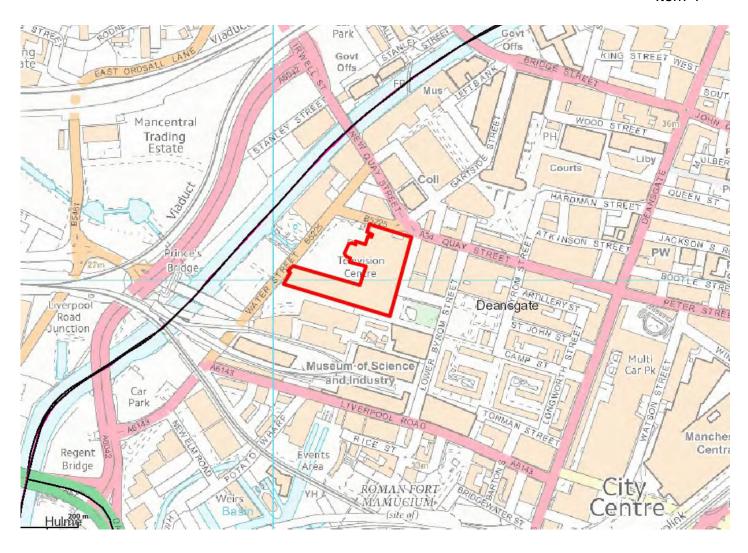
- 6. The licence holder shall enter into an agreement with a hackney carriage and/or private hire firm to provide transport for customers with contact numbers made readily available to customers. Where possible a call back system will be operated and drivers instructed not to sound their horns when collecting customers.
- 7. No unaccompanied children shall be permitted entry to the restaurant areas after 2200.
- 8. Speakers shall not be located to the external perimeter of the premises save for intercom system use and for safety announcements (for the sake of clarity this does not prevent the use of speakers on the pool side or terrace areas).
- 9. No regulated entertainment shall be provided in the external area of the roof top terrace.

### Other Persons - Local Councillors x 3

Local Councillors Joan Davies, Marcus Johns and Williams Jeavons (Deansgate Councillors) believe the granting of this application would lead to issues with Public Nuisance, specifically noise nuisance from rooftop outside area, designated smoking areas and proposed regulated entertainment.

### Other Persons - Local Resident x 1

Local resident, Ms Woolley believe the granting of this application would lead to issues with Public Nuisance specifically noise nuisance from rooftop bar and swimming pool.



Mollie's Motel Diner Atherton Street, Manchester, M60 9EA

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**PREMISE NAME:** Mollie's Motel Diner

PREMISE ADDRESS: Atherton Street, Manchester, M60 9EA

WARD: Deansgate

**HEARING DATE:** 25/09/2018

# 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 Mollie's Motel Limited (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 **Mollie's Motel Diner** (the former Granada Studios) Atherton Street Post town Manchester Postcode M60 9EA Telephone number at premises (if any) To be advised Non-domestic rateable value of premises £175,000 Part 2 - Applicant details Please state whether you are applying for a premises licence as Please tick as appropriate an individual or individuals \* a) please complete section (A) b) a person other than an individual \*  $\boxtimes$ as a limited company/limited liability please complete section (B) partnership as a partnership (other than limited please complete section (B) ii liability) iii as an unincorporated association or please complete section (B) other (for example a statutory corporation) please complete section (B) a recognised club please complete section (B) c) d) a charity please complete section (B)

e)	the proprietor of ar	n educational est	ablishment		please comp	olete section (B)	
f)	a health service bo	dy		please complete section (B)			
g)	a person who is reg Care Standards Ac independent hospit	t 2000 (c14) in r	please comp	elete 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						
h)	the chief officer of police of a police force in   — please complete section (B)  England and Wales						
* If yo	ou are applying as a elow):	person describe	ed in (a) or (b) p	olease	confirm (by ti	cking yes to one	
premi	carrying on or proposes for licensable ac	ctivities; or		ch inv	olves the use	of the	
I am r	naking the applicati	_	l				
	statutory function		TT 36 1 . 1		.•		
	a function dischar	ged by virtue of	Her Majesty's	prerog	ative		
A) INDIVIDUAL APPLICANTS (fill in as applicable)							
				1	1		
Mr	Mrs	Miss	Ms		er Title (for nple, Rev)		
Mr Surna		Miss	Ms  First n	exai			
Surna				exai ames	mple, Rev)	se tick yes	
Surna  Date over	ame		First n	exai ames	mple, Rev)	se tick yes	
Date over Natio	ame of birth		First n	exai ames	mple, Rev)	se tick yes	
Date over Natio	of birth nality nt residential ss if different from ses address		First n	exai ames	mple, Rev)	se tick yes	
Date over Natio  Curre addre premi	of birth nality nt residential ss if different from ses address	I a	First n	exai ames	nple, Rev)	se tick yes	
Date over Natio  Curre addre premi  Post t	nality  nality  nt residential ss if different from ses address  own  me contact telepholia address	I a	First n	exai ames	nple, Rev)	se tick yes	
Date over Natio  Curre addre premi  Post t  Dayti  E-ma (option	nality  nality  nt residential ss if different from ses address  own  me contact telepholia address	I a	First n	exai ames	nple, Rev)	se tick yes	

Surname		]	First names			
Date of birth over	I a	am 18 yea	ars old or		Please tick yes	
Nationality						
Current postal addre if different from premises address	SS					
Post town				Postco	de	
Daytime contact tel	lephone number				l	
E-mail address (optional)						
Name Mollie's Motels Lim		nu auur	ess of each p	arty con	icerneu.	
Address	ned					
72-74 Dean Street London W1D 3SG						
Registered number (09319471	where applicable)					
Description of applic Private Limited Con		artnership	o, company, ı	ınincorp	orated association	etc.)
Telephone number (	if any)					

Part 3 Operating Schedule

E-mail address (optional) Rhodri.jones@sohohouse.com

Whe	en do you want the premises licence to start?	DD 2 5	MM YY 0 8 2 0	YYY 1 8
	ou wish the licence to be valid only for a limited period, in do you want it to end?	DD	MM YY	YYY
Plea	ase give a general description of the premises (please read guidan	nce no	te 1)	
Hot	el and Diner.			
	or to lodging this application there has been consultation with the ater Manchester Police, Out of Hours Team, residents and local			y,
	000 or more people are expected to attend the premises at any time, please state the number expected to attend.			
What	licensable activities do you intend to carry on from the premises	s?		
(pleas	se see sections 1 and 14 and Schedules 1 and 2 to the Licensing	Act 20	03)	
Prov	vision of regulated entertainment (please read guidance note 2)		Please tick a apply	ıll that
a)	plays (if ticking yes, fill in box A)			
b)	films (if ticking yes, fill in box B)			$\boxtimes$
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)			$\boxtimes$
f)	recorded music (if ticking yes, fill in box F)			$\boxtimes$
g)	performances of dance (if ticking yes, fill in box G)			
h)	anything of a similar description to that falling within (e), (f) o (if ticking yes, fill in box H)	r (g)		

<b>Provision of late night refreshment</b> (if ticking yes, fill in box I)	
<b>Supply of alcohol</b> (if ticking yes, fill in box J)	$\boxtimes$
In all cases complete boxes K, L and M	

# A

	rd days aı s (please ı		Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
	ce note 7)		(prease read gurdance note 5)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gui	dance note 4)	
Tue					
Wed			State any seasonal variations for performing p guidance note 5)	<u>lays</u> (please rea	ad
Thur					
Fri			Non standard timings. Where you intend to us for the performance of plays at different times the column on the left, please list (please read g	to those listed	<u>l in</u>
Sat					
Sun					

# В

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors		
			(prease read gurdantee note 5)	Outdoors		
Day	Start	Finish		Both		
Mon	08:00	04:00	Please give further details here (please read gui	dance note 4)		
			The playing of films in hotel bedrooms for the be	nefit of resider	nts	
Tue	08:00	04:00	shall be permitted 24/7.			
Wed	08:00	04:00	State any seasonal variations for the exhibition of films (please read guidance note 5)			
			read guidance note 3)			
Thur	08:00	04:00				
Fri	08:00	04:00	Non standard timings. Where you intend to use for the exhibition of films at different times to			
			column on the left, please list (please read guida		tiic	
Sat	08:00	04:00	From the start time on New Year's Eve to the ten	minal hour for		
			New Year's Day.			
Sun	08:00	04:00	On the day that British Summer Time commence hour to disapply its effect.	s, one addition	al	
			nour to disappry its effect.			

# C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			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 (please read guidance note 6)
Fri			
Sat			
Sun			

# D

entert	g <mark>or wres</mark> ainments rd days ai	O	Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
timings	s (please poster 7)	read	preuse tett. (preuse reua garaunee note e)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gui	dance note 4)	
Tue					
Wed			State any seasonal variations for boxing or wreentertainment (please read guidance note 5)	estling	
Thur					
Fri			Non standard timings. Where you intend to use for boxing or wrestling entertainment at differ listed in the column on the left, please list (please)	ent times to th	<u> 10se</u>
Sat			note 6)		
Sun					

Live music Standard days and timings (please read			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	$\boxtimes$
	ice note 7		(fermina guarante est est)	Outdoors	
Day	Start	Finish		Both	
Mon	08:00	04:00	Please give further details here (please read gui	dance note 4)	
Tue	08:00	04:00			
Wed	08:00	04:00	State any seasonal variations for the performa (please read guidance note 5)	nce of live mu	<u>sic</u>
Thur	08:00	04:00			
Fri	08:00	04:00	Non standard timings. Where you intend to us for the performance of live music at different to listed in the column on the left, please list (please).	imes to those	
Sat	08:00	04:00	note 6)		
			From the start time on New Year's Eve to the ten New Year's Day.	minal hour for	
Sun	08:00	04:00	On the day that British Summer Time commence hour to disapply its effect.	s, one addition	al

# F

Recorded music Standard days and timings (please read guidance note 7)		nd	Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
			(produce road gurdantee note e)	Outdoors	
Day	Start	Finish		Both	
Mon	08:00	04:00	Please give further details here (please read gui	dance note 4)	
Tue	08:00	04:00			
Wed	08:00	04:00	State any seasonal variations for the playing of (please read guidance note 5)	f recorded mu	<u>sic</u>
Thur	08:00	04:00			
Fri	08:00	04:00	Non standard timings. Where you intend to us for the playing of recorded music at different to listed in the column on the left, please list (please)	times to those	_
Sat	08:00	04:00	note 6)		
			From the start time on New Year's Eve to the ten New Year's Day.	minal hour for	
Sun	08:00	04:00	On the day that British Summer Time commence hour to disapply its effect.	s, one addition	al

# G

Performances of dance Standard days and			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
timings	s (please poster 7)	read	(produce road garanase roots e)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gui	dance note 4)	
Tue					
Wed			State any seasonal variations for the performa (please read guidance note 5)	nce of dance	
Thur					
Fri			Non standard timings. Where you intend to use for the performance of dance at different times the column on the left, please list (please read g	s to those liste	<u>d in</u>
Sat					
Sun					

# Н

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 entertainm providing	nent you will b	e
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read	Indoors	
Mon			guidance note 3)	Outdoors	
				Both	
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment description to that falling within (e), (f) or (g) guidance note 5)	t of a similar (please read	
Fri					
Sat			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 (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
timing	s (please note 7	read		Outdoors	
Day	Start	Finish		Both	
Mon	23:00	05:00	Please give further details here (please read gui	dance note 4)	
Tue	23:00	05:00			
Wed	23:00	05:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	05:00			
Fri	23:00	05:00	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		
Sat	23:00	05:00	guidance note 6)		
Sun	23:00	05:00	From the start time on New Year's Eve to the terminal hour for New Year's Day.		
			On the day that British Summer Time commences hour to disapply its effect.	s, one addition	al

J

Supply of alcohol Standard days and timings (please read			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises		
	ce note 7		gardance note of	Off the premises		
Day	Start	Finish		Both		
Mon	00:01	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 5)			
Tue	00:01	00:00	For those who are not hotel residents or their bona fide guests: from 8am until 4am daily.			
Wed	00:01	00:00	-			
Thur	00:01	00:00	Non standard timings. Where you intend to us for the supply of alcohol at different times to the column on the left, please list (please read guida	nose listed in t		
Fri	00:01	00:00	For those who are not hotel residents or their bond	,		
Sat	00:01	00:00	From the start time on New Year's Eve to the terminal hour for New Year's Day.			
Sun	00:01	00:00	On the day that British Summer Time commences, one additional hour to disapply its effect.		al	

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					
Simon Richa	rd Bradford				
Date of birtl	n 8 November 1967				
Address Kuala, Oak F	Farm Lane, Fairseat, Kent				
Postcode	TN15 7JU				
Personal licence number (if known) GM PER 08 0076					
	Issuing licensing authority (if known) Gravesham Borough Council				

K			
matter	s ancilla	ry to the	alt entertainment or services, activities, other entertainment or use of the premises that may give rise to concern in respect of dance note 9).
n/a			
L			
open to Standa timings	premises o the pub rd days ar s (please r ce note 7)	olic nd read	State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	00:01	00:00	

00:01 00:00 Wed 00:01 00:00 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 (please read guidance note 6) Thur 00:01 00:00 00:00 00:01 00:01 00:00 00:01 00:00

Tue

Fri

Sat

Sun

${f M}$ 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)
Please see attached operating schedule and policies.
b) The prevention of crime and disorder
Please see attached operating schedule and policies.
c) Public safety
Please see attached operating schedule and policies.
d) The prevention of public nuisance
Please see attached operating schedule and policies.
e) The protection of children from harm

Please see attached operating schedule and policies.					
hecklist:					

### Please tick to indicate agreement

•	I have made or enclosed payment of the fee.	$\boxtimes$
•	I have enclosed the plan of the premises.	$\boxtimes$
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	$\boxtimes$
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	$\boxtimes$
•	I understand that I must now advertise my application.	$\boxtimes$
•	I understand that if I do not comply with the above requirements my application will be rejected.	$\boxtimes$
•	[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).	$\boxtimes$

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> <li>[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).</li> <li>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 licesable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>		
Signature	Kuit Steinart Levy LLP		
Date	27 July 2018		
Capacity	Solicitors and Authorised Agents		

For joint applications, signature of  $2^{nd}$  applicant or  $2^{nd}$  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)
Kuit Steinart Levy LLP, 3 St Mary's Parsonage

Post town	Manchester		Postcode	M3 2RD		
Telephone n	umber (if any)	0161 838 7888				
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) rebeccaingram@kuits.com						

### **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:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o 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.
  - o 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.
  - o 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.
  - o 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:
  - o 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.
  - o 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.
  - o 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:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o 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;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o 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.

### **OPERATING SCHEDULE**

#### **Mollie's Motel Diner**

Staff shall be trained in the requirements of the Licensing Act 2003 with regard to the Licensing Objectives.

### A) The Prevention of Crime and Disorder

- 1. A CCTV system shall be installed, maintained and operated at the premises with cameras positioned both internally and externally.
- 2. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
- 3. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
- 4. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
- 5. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment, to be carried out by the DPS. When employed, door staff will wear high visibility armbands.
- 6. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
  - (i) the number of door staff on duty:
  - (ii) the identity of each member of door staff;
  - (iii) the times the door staff are on duty.
- 7. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.
- 8. Staff will be trained in the laws relating to under age sales, and that training shall be documented and repeated at 6 monthly intervals.
- 9. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.
- 10. In the external roof top bar and swimming pool area (8th floor) licensable activities shall cease at 11pm and the area will be closed to customers no later than midnight.

### **B) Public Safety**

- 1. A first aid box will be available at the premises at all times.
- 2. Regular safety checks shall be carried out by staff.
- 3. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
- 4. The premises shall maintain an Incident Log and public liability insurance.

#### C) The Prevention of Public Nuisance

- 1. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
- 2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 3. The exterior of the building shall be cleared of litter at regular intervals.
- 4. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
- 5. Doors and windows at the premises are to remain closed after 11pm, save for access and egress.
- 6. Dispersal, Smoking & Queue Management Policies will be implemented and adhered to (see attached).
- 7. The emptying of bins into skips, and refuse collections will not take place between 11pm and 7am.
- 8. No regulated entertainment in any external area after 11pm.
- 9. Ensure that lights are not directed towards residential properties.

#### D) The Protection of Children From Harm

- A "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only acceptable forms of ID are photographic driving licences, passports, HM forces warrant cards, EU/EEA national ID card or similar document or a form of identification with the "PASS" hologram.
- 2. Staff training will include the Challenge 21 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.
- 3. Notices advising what forms of ID are acceptable must be displayed.
- 4. Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.



Consent of individual to being specified as Designated Premises Supervisor SIMON RICHARD BRADFORD. Ī [full name of prospective Designated Premises Supervisor] KUALA Of OAK FARU LANG. FAIRSEAT KENT TNIS 7UU. [home address of prospective Designated Premises Supervisor] 8th NOVEMBER 1967. My date of birth is: ENFIELD. I was born in: [place of birth of prospective Designated Premises Supervisor] 07963 523 705. Contact telephone number: Hereby confirm that I give my consent to being specified as the Designated Premises Supervisor in relation to the application for Application for a new premises licence [type of application] relating to a Premises Licence ... Act Cot Occurred [number of existing Premises Licence] Udhis Hotel Diver ad Grandon Studios Attractor Stroot [name and address of premises to which the application relates]

KUIT STEINART LEVY LLP, 3 ST MARY'S PARSONAGE, MANCHESTER M3 2RD. TELEPHONE NUMBER: 0161 838 7888. FAX: 0161 838 8109

and any Premises Licence to be granted or varied in respect of this application made by
Mollie's Udtols (tdl [name of applicant]
concerning the supply of alcohol at
Mollies Wotel Direct
[name and address of premises to which the application relates]
I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a Personal Licence, details of which I set out below.
Personal Licence number
GM PER 08.0076
Personal Licence Issuing Authority
GENVESHAM BOROUGH COUNCIL.
Signed:
Name (please print) SIMON BEADTOED
Date: 17/7/18.

\_\_\_\_\_

# MOLLIE'S MOTEL AND DINER

#### SMOKING & AL FRESCO DINING POLICY

\_\_\_\_\_\_

- 1. Any outside area used by customers wishing to dine, drink or smoke shall be clearly delineated and covered by the CCTV system which will be installed at the premises.
- 2. The outside area shall be regularly monitored by staff or door staff at all times it is in use
- 3. The area will be cleaned regularly
- 4. Suitable receptacles shall be provided for smokers to dispose of cigarette butts.
- 5. Signs will be displayed in the area(s) requesting customers keep noise to a minimum.
- 6. Patrons who disregard signage and verbal instructions regarding noise will be asked to move inside and/or leave the premises.
- 7. Open containers of alcohol shall not be permitted to be taken beyond the boundary of the outside area.

## MOLLIE'S MOTEL AND DINER

#### **DISPERSAL POLICY**

\_\_\_\_\_

The purpose of this Dispersal Policy is to ensure, so far as it is possible, that minimum disturbance or nuisance is caused to our neighbours and to ensure that the operation of the premises makes the minimum impact upon the neighbourhood in relation to potential nuisance and anti-social behaviour. This will be achieved by exercising pro-active measures towards and at the end of the evening.

By ensuring that this Dispersal Policy document is brought to the attention of Management and Staff we will seek to encourage the efficient, controlled and safe dispersal of our patrons during our closing period to the public.

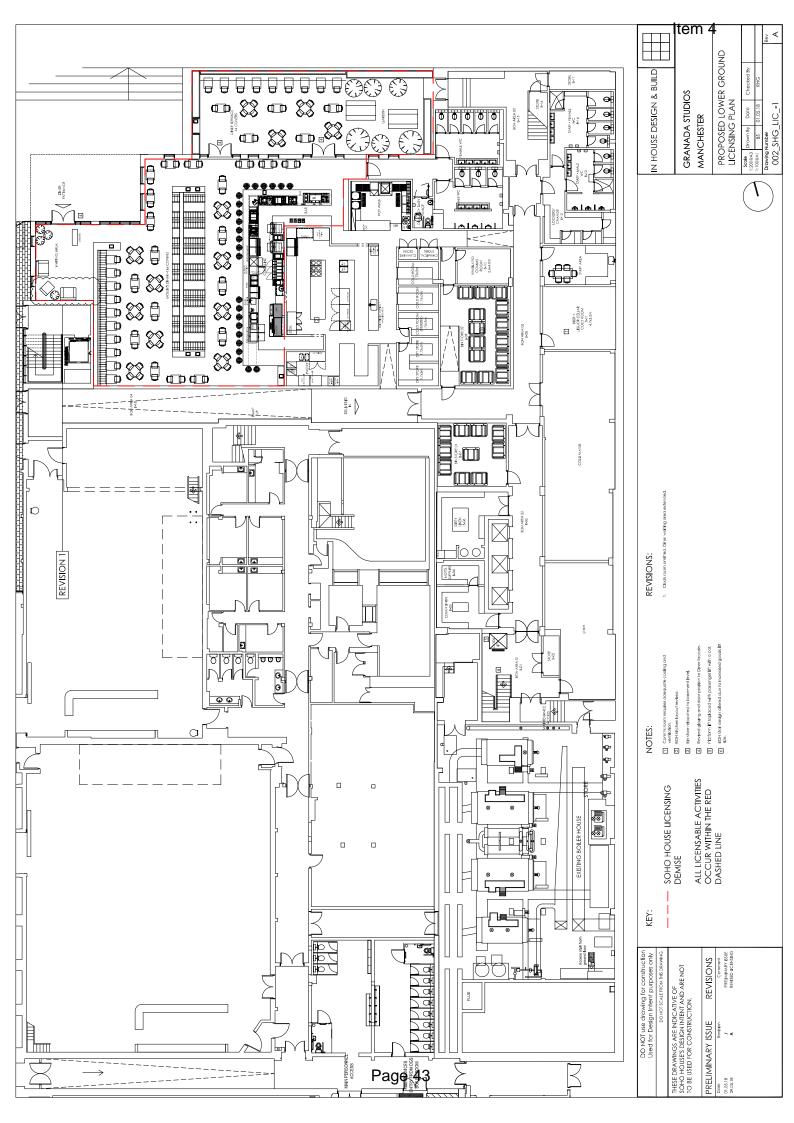
- 1. At the end of the evening management and staff will assist with the orderly and gradual dispersal of patrons.
- 2. Staff Members (including door personnel when employed) will advise patrons to leave the premises quickly and quietly out of respect for our neighbours.
- 3. Notices will be displayed requesting our customers to leave quietly and in an orderly manner out of consideration to neighbours and their attention will be drawn to these notices by members of staff.
- 4. We will ensure the removal of all bottles and drinking receptacles from any patron before exiting the premises (this does not apply in the case of consumption in any delineated external drinking area.)
- 5. We will actively discourage our customers from assembling outside the premises at the end of the evening.

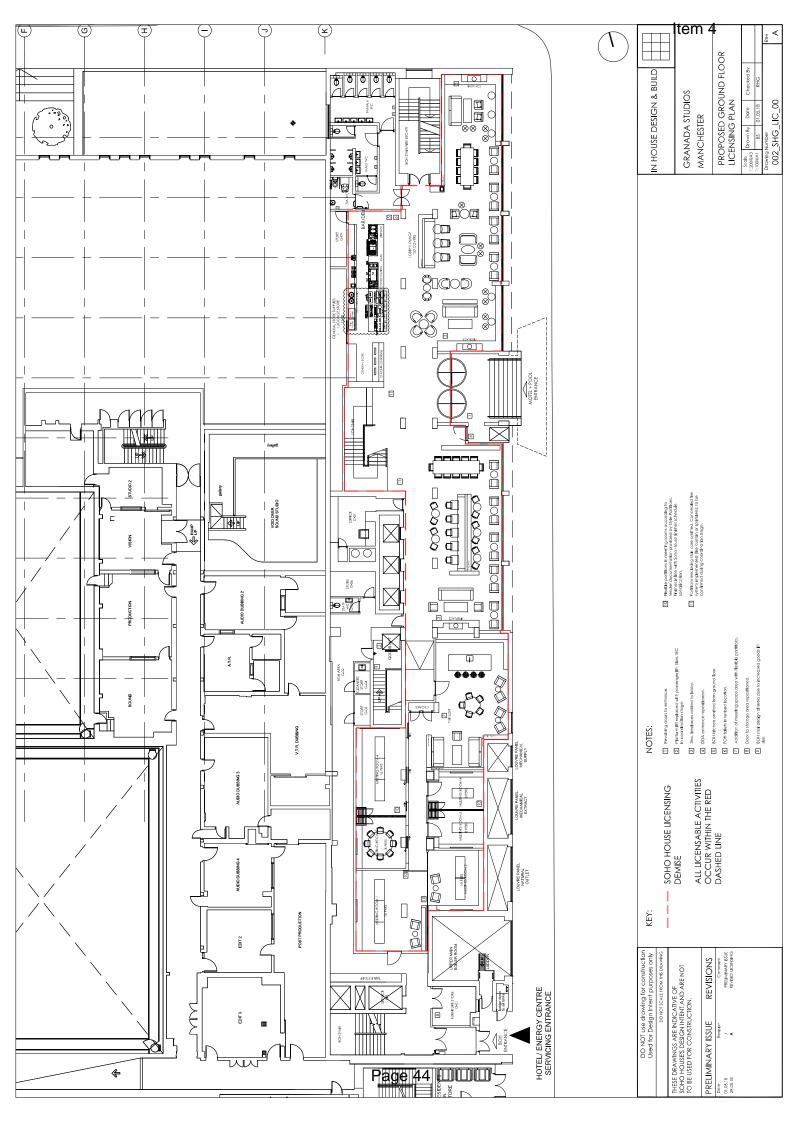

## MOLLIE'S MOTEL AND DINER

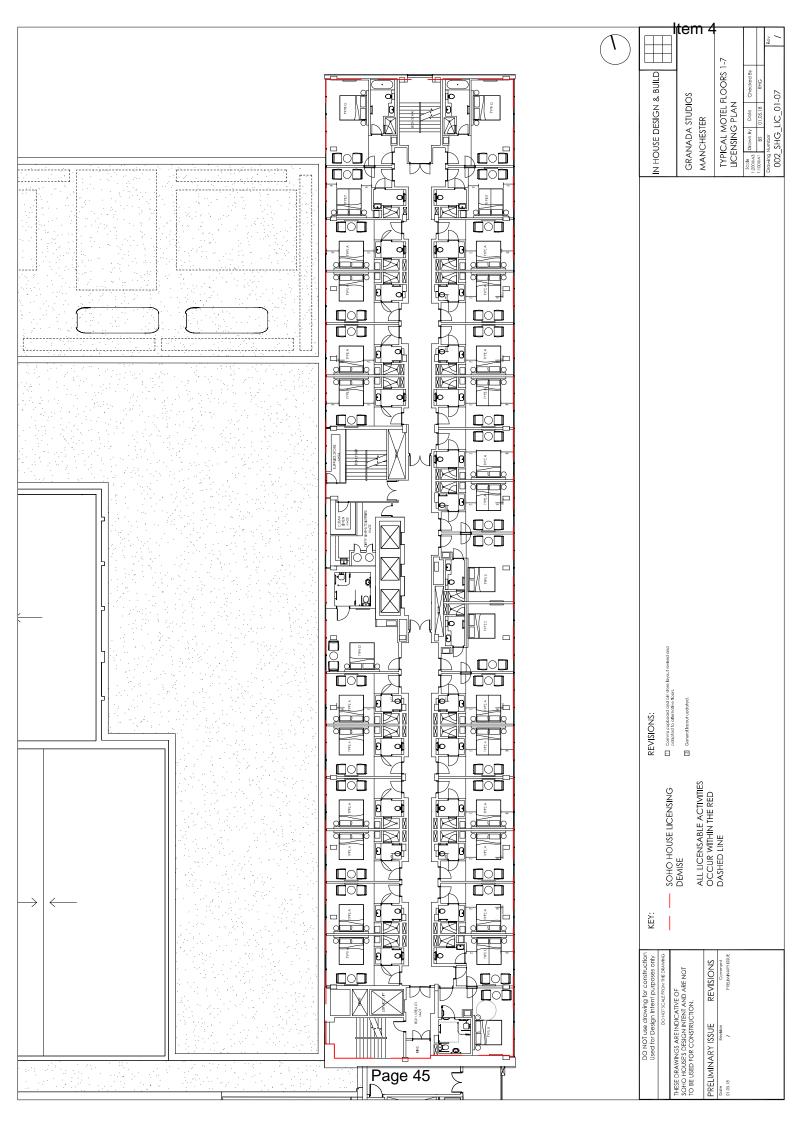
## **QUEUE MANAGEMENT POLICY**

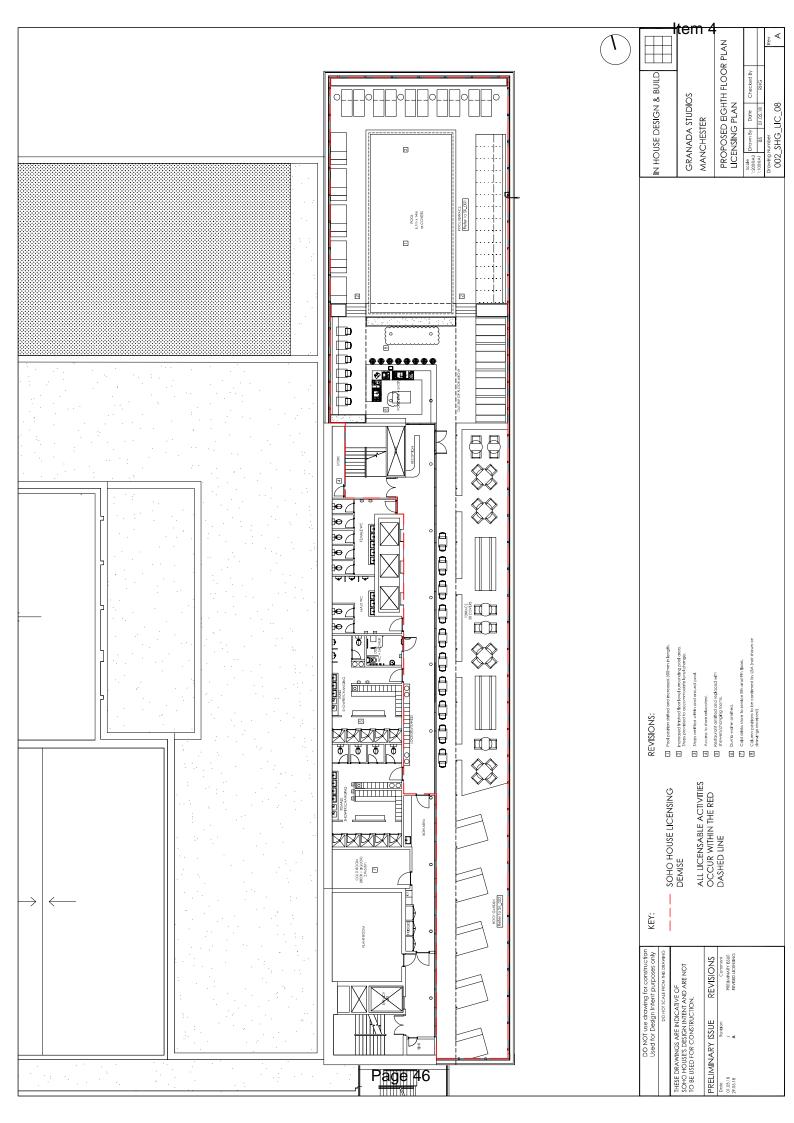
\_\_\_\_\_

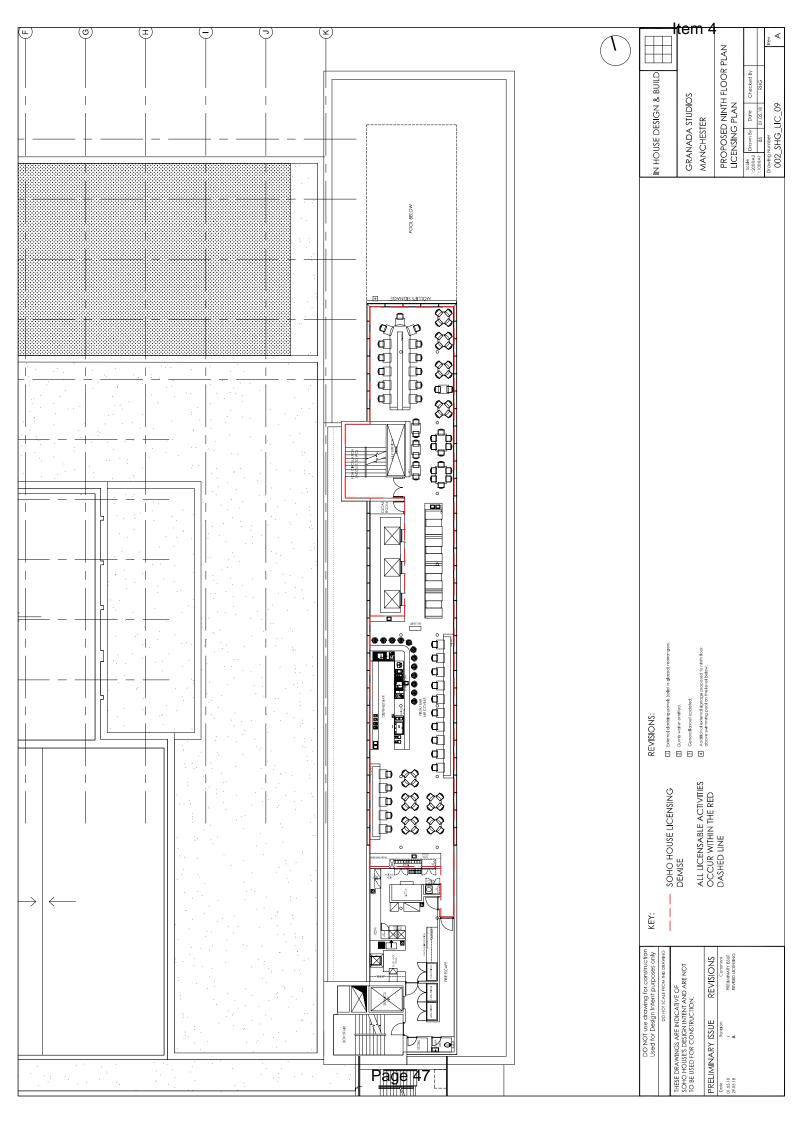
- 1. Door supervisors shall monitor any queueing for entry to the premises and ensure so far as is possible that any noise emanating from queueing patrons is kept to a minimum.
- 2. At least one CCTV camera shall be positioned at the entrance to the premises to capture images of all customers entering or leaving.
- 3. Any person who tries to gain entry to the premises and appears intoxicated or who is involved in disorderly conduct shall be denied access to the premises.











## **GREATER MANCHESTER POLICE - REPRESENTATION**

About You				
Name	PC Alan Isherwood			
Address including postcode	1 <sup>st</sup> Floor			
- '	Manchester Town Hall Extension			
	Lloyd Street			
	Manchester			
Contact Email Address	alan.isherwood@gmp.police.uk			
Contact Telephone Number	0161 856 6017			

About the Premises	
Application Reference No.	LPA 216448
Name of the Premises	Mollie's Motel Diner
Address of the premises	Atherton Street, Manchester M60 9EA
including postcode	

## **Your Representation**

Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the licence 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 application in relation to the above premises on the grounds of the Prevention of Crime and Disorder, the Prevention of Public Nuisance and Public Safety.

The applicant has offered conditions within the Operating Schedule but the doorstaff condition that is offered needs to be more specific and stronger to best demonstrate how the 4 Licensing Objectives will be upheld. If this licence was granted GMP would ask that the following condition replaces the doorstaff condition offered by the applicant.

On Friday and Saturday a minimum of 1 SIA registered doorstaff shall be employed at the premises from 2200 hours until 0400 hours. At all other times the requirement for doorstaff shall be determined in accordance with a risk assessment carried out by the DPS. When employed doorstaff shall wear hi-vis armbands.

From: <Alan.Isherwood@gmp.police.uk>

Date: 29 August 2018 at 16:41

Subject: RE: Mollie's Motel Diner, Atherton Street (MOL38/1)

To: <a href="mailto:anthonylyons@kuits.com">anthonylyons@kuits.com</a>, <a href="mailto:premises.licensing@manchester.gov.uk">premises.licensing@manchester.gov.uk</a></a>
Co: <a href="mailto:CentralLicensing@gmp.police.uk">CentralLicensing@gmp.police.uk</a>, <a href="mailto:Lisherwood1@manchester.gov.uk">Lisherwood1@manchester.gov.uk</a>

Dear All,

In view of the email below from the applicant's solicitor Mr Lyons in which the condition proposed by GMP is agreed we are happy for the Premises Licence to be granted with this condition replacing the original doorstaff condition.

Please can this application now be shown as agreed between the applicant and GMP.

Kind Regards

Alan
PC 17659 Alan Isherwood
Divisional Licensing Officer
City of Manchester Division

1st Floor, Manchester Town Hall Extension, Lloyd Street, Manchester, M2 5DB

alan.isherwood@gmp.police.uk, 0161 856 6017

From: Megan Stevenson [mailto:MeganStevenson@kuits.com] On Behalf Of Anthony Lyons

Sent: 29 August 2018 16:36

To: Alan Isherwood

Subject: Mollie's Motel Diner, Atherton Street (MOL38/1)

Dear Alan,

I have now had an opportunity to discuss your representation in connection with the above application with my client.

Please accept this correspondence as confirmation that the applicant agrees to your proposed condition (to replace the door staff condition offered by the applicant) as follows "on Friday and Saturday a minimum of 1 SIA registered door staff shall be employed at the premises from 2200 until 0400. At all other times the requirement for door staff shall be determined in accordance with a risk assessment carried out by the DPS. When employed door staff shall wear hi-vis armbands".

Please can you kindly acknowledge safe receipt and perhaps you could copy me in to your email to the licensing authority confirming your position.

Kind regards.

Tony

Anthony Lyons

kuit | steinart | levy LLP, Partner

3 St Marys Parsonage, Licensing, Manchester M3 2RD, for and on behalf of kuit | steinart | levy LLP

www.kuits.com<http://www.kuits.com>

DDi:+44 (0)161 838 7800, Mobile: 07795962059, Dept: +44 (0)161 838 7888, Fax: +44 (0)161 838 8109



Premise Details		
Application Ref No	216448	
Name of Premises	Mollie's Motel Diner	
Address	Atherton Street, Manchester, M60 9EA	

### Representation

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

The Licensing and Out of Hours Team have assessed the likely impact of the granting this application taking into account a number of factors, including the nature of the area, hours applied for and any potential risk that the granting of this could lead to.

As a result of this assessment we have concerns that the granting of this application is likely to lead to increased issues of public nuisance, specifically relating to noise nuisance, public safety and protection of children from harm.

We therefore recommend that in order to prevent the problems described above the following conditions should be attached to the Premises Licence above the conditions proposed by applicant:

#### All staff shall be trained in:

- · how to refuse service
- child welfare training including child exploitation in hospitality industry
- action to be taken in the event of an emergency and reporting an incident to the emergency services
- The Licensing and Out of Hours Team have assessed the likely impact of the
- granting this application taking into account a number of factors, including the nature of the area, hours applied for and any potential risk that the granting of this could lead to.
- As a result of this assessment we have concerns that the granting of this
  application is likely to lead to increased issues of public nuisance, specifically
  relating to noise nuisance, public safety and protection of children from harm.
- We therefore recommend that in order to prevent the problems described above the following conditions should be attached to the Premises Licence above the conditions proposed by applicant:
- All staff shall be trained in:
- · how to refuse service

- child welfare training including child exploitation in hospitality industry
- action to be taken in the event of an emergency and reporting an incident to the emergency services
- All external fire exit doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened.
- All firefighting equipment is inspected and serviced in line with the appropriate British Standard.
- The premises licence holder shall ensure that at all times when the public is
  present there is at least one competent person able to administer first aid,
  that an adequate and appropriate supply of first aid equipment and materials
  is available on the premises, and that adequate records are maintained in
  relation to the supply of any first aid treatment.
- All staff on duty at the premises shall be trained in the Fire Safety and Evacuation procedures for the premises and aware of their individual responsibilities, this includes any door supervisors.
- Staff training shall include procedures to deal effectively with emergency incidents, including:
- (a) reporting an emergency to the relevant emergency service
- (b) safe evacuation of customers
- (c) dealing with terrorist threats or incidents
- At the end of trading each day, the pavement from the building line to the kerb edge immediately outside the premises, shall be swept and sweepings collected and stored in accordance with the approved waste storage arrangements.
- The licence holder shall enter into an agreement with a hackney carriage and/or private hire firm to provide transport for customers, with contact numbers made readily available to customers, who will be encouraged to use such services. A call-back system must be operated and drivers instructed not to sound their horns when collecting customers.
- Entry by children under the age of 18 to the premises is prohibited unless accompanied by an adult over the age of 18.
- Where children are allowed on the premises, information shall be displayed in staff areas on what to do if there is a cause for concern regarding a child's welfare. This shall include reporting to Manchester City Council via its Contact Centre on 0161 234 5000 or mcsreply@manchester.gov.uk, or the NSPCC on 0808 800 5000 (free 24-hour service) or dialling 999 in the event of an immediate threat.
- Speakers shall not be located/operated in the entrance lobby or outside the premises.
- The roof top terrace on the office block, used in association with the adjacent hotel, shall not allow for the use of amplified sound or any music in these external areas at any time (planning condition)
- Low level background music only will be played on the terrace.

- Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday. Where Sunday/Bank Holiday deliveries etc. are permitted the times shall be confined to 10:00 to 18:00.
- Minimum 1 x SIA doorstaff employed Fridays and Saturday 2200 0400 and shall be briefed on their responsibilities and relevant company operating procedures before they commence duty. All door supervisors are provided shall be easily identifiable by wearing visible arm bands.
- On all other days (Sunday Thursday) the need for doorstaff shall be determined by a documented risk assessment and shall be reviewed on a regular basis and upon request by GMP.

Recommendation: Approve with Conditions (Outlined Above)

From: Anthony Lyons <anthonylyons@kuits.com>

Date: Thu, 6 Sep 2018 at 14:25

Subject: RE: FW: Mollies Amended Representation216448 (MOL38/1)

To: Lee Isherwood <<u>l.isherwood1@manchester.gov.uk</u>> Cc: Megan Stevenson <<u>MeganStevenson@kuits.com</u>>

**Thanks** 

Agreed – please send to LA in order to clarify the misunderstanding. Ta

Tony

From: Lee Isherwood [mailto: <a href="mailto:l.isherwood1@manchester.gov.uk">l.isherwood1@manchester.gov.uk</a>]

**Sent:** 06 September 2018 14:23

To: Anthony Lyons <anthonylyons@kuits.com>

**Subject:** Re: FW: Mollies Amended Representation216448 (MOL38/1)

Mr Lyons,

This should be correct now

Regards

Lee Isherwood
Neighbourhood Team Lead
Licensing & Out of Hours Compliance
The Neighbourhoods Service
Growth and Neighbourhoods Directorate
Town Hall Extension
Level 1
City Centre
Manchester

Tel: 0161 234 1220 Mob: 07817 014 956

E-mail: <a href="mailto:lisherwood1@manchester.gov.uk">l.isherwood1@manchester.gov.uk</a>

On Thu, 6 Sep 2018 at 08:39, Anthony Lyons <a href="mailto:anthonylyons@kuits.com">anthonylyons@kuits.com</a>> wrote: Dear Lee,

Thank you for your email yesterday afternoon timed at 16:18.

Unfortunately this does not accord with what I understood we had agreed.

Please see my email (sent from Megan) timed at 16:12.

Could you please notify the licensing authority of our agreed position and copy me in.

I look forward to hearing from you as a matter of urgency.

Kind regards,

Tony

**From:** Lee Isherwood [mailto:<u>l.isherwood1@manchester.gov.uk]</u>

**Sent:** 05 September 2018 16:18 **To:** Premises Licensing; Anthony Lyons

Subject: Mollies Amended Representation216448

Good Afternoon.

Please find amended representation, agreed with Anthony Lyons today ahead of determination/hearing on the 25th.

Anthony Lyons will also submit a similar email to this effect.

Thank You.

Regards

Lee Isherwood
Neighbourhood Team Lead
Licensing & Out of Hours Compliance
The Neighbourhoods Service
Growth and Neighbourhoods Directorate
Town Hall Extension
Level 1
City Centre
Manchester

Tel: 0161 234 1220 Mob: 07817 014 956

E-mail: l.isherwood1@manchester.gov.uk

----- Forwarded message -----

From: Anthony Lyons <anthonylyons@kuits.com>

To: "'Lee Isherwood'" < l.isherwood1@manchester.gov.uk >

Cc:

Date: Wed, 5 Sep 2018 15:12:25 +0000

Subject: RE: FW: Mollie's Motel and Diner (former Granada Studios), 2 Atherton Street,

Manchester (MOL38/1)

Dear Lee,

Many thanks for your email received this afternoon.

So to be clear I shall now confirm to my client that we are agreed with the additional conditions contained in the attachment to this email.

On the basis they too are happy I shall proceed to notify the licensing authority of the position.

Thank you for your assistance.

Kind regards,

Tony

From: Lee Isherwood [mailto: <a href="mailto:l.isherwood1@manchester.gov.uk">l.isherwood1@manchester.gov.uk</a>]

**Sent:** 05 September 2018 14:14

To: Anthony Lyons

Subject: Re: FW: Mollie's Motel and Diner (former Granada Studios), 2 Atherton Street, Manchester

Good Morning My Lyons,

Apologies for my delay in responding I was on nights and have returned today; I have amended (and I apologise for this confusion) the representation, I am unsure why it was so jumbled up. Alas, I have amended as per your document and believe this matches and happy to agreed ahead of the hearing on the 25th September.

Should you need to call me, I am on 234 8710 or 234 1220 until 4:00pm.

Thank You,

### Regards

Lee Isherwood
Neighbourhood Team Lead
Licensing & Out of Hours Compliance
The Neighbourhoods Service
Growth and Neighbourhoods Directorate
Town Hall Extension
Level 1
City Centre
Manchester

Tel: 0161 234 1220 Mob: 07817 014 956

E-mail: <a href="mailto:l.isherwood1@manchester.gov.uk">l.isherwood1@manchester.gov.uk</a>

On Tue, 4 Sep 2018 at 14:23, Anthony Lyons <a href="mailto:anthonylyons@kuits.com">anthonylyons@kuits.com</a>> wrote: Dear Lee.

Further to our recent conversation I trust you received my email with proposed amendments.

I have now had the opportunity of discussing this with my client who agrees with my proposed amends save that in the case of children he wonders whether we can agree an amendment to the wording as follows:

"No unaccompanied children shall be permitted entry to the restaurant areas after 2200".

I look forward to hearing from you.

Kind regards,

Tony

From: Megan Stevenson On Behalf Of Anthony Lyons

**Sent:** 03 September 2018 11:51

To: 'l.isherwood1@manchester.gov.uk'

Subject: FW: Mollie's Motel and Diner (former Granada Studios), 2 Atherton Street,

<u>Manchester</u>

Hi Lee,

Any thoughts on the below?

Kind regards,

Anthony

Anthony Lyons Licensing | Partner ext: 1035 ddi: +44 (0)161 838 7800

From: Megan Stevenson On Behalf Of Anthony Lyons

**Sent:** 30 August 2018 16:52

To: 'l.isherwood1@manchester.gov.uk'

Subject: Mollie's Motel and Diner (former Granada Studios), 2 Atherton Street, Manchester

Dear Lee,

Following our conversation yesterday afternoon I should like to thank you for firstly your time and secondly for sending over the amended conditions for agreement.

I believe we are almost at a point where we can agree although some of the wording in your email has been rather jumbled during the exercise which is entirely understandable.

Perhaps you could reflect on the attachment which I hope accurately captures what we agreed?

Please confirm and then I will take my clients instructions following which I will get back to you as soon as possible.

Many thanks for your assistance.

Kind regards,

Anthony

Anthony Lyons Licensing | Partner ext: 1035 ddi: +44 (0)161 838 7800

**Anthony Lyons** 

Partner Licensing for and on behalf of kuit | steinart | levy LLP

DDi: +44 (0)161 838 7800

Mobile

07795962059

Dept: +44 (0)161 838 7888 Fax: +44 (0)161 838 8109 kuit | steinart | levy LLP 3 St Marys Parsonage Manchester M3 2RD www.kuits.com

At Kuits we care about your privacy. We have updated our privacy policy to comply with recent changes to data protection laws and this explains how we handle your personal data. For more details please see our privacy policy Here

Please note that all meetings are held at our offices on 7th Floor, Blackfriars House, Parsonage, Manchester, M3 2JA.

Cybercrime and fraud alert. Please be aware that we do not send notifications of changes to our bank details by email. Fraudsters have been impersonating law firms and some clients of law firms have been tricked into forwarding monies to them. If you receive an email that appears to come from us, providing different bank details to the ones we supplied at the outset of the matter or indicating a change in our bank details, please contact our Head of Finance, Janie Walters, immediately on 0161 838 7823 and alert the fee earner dealing with your matter. Do not reply to the email or act on any information contained in it. We will not accept responsibility if you transfer money into an incorrect account.



Premise Details	
Application Ref No	216448/603690
Name of Premises	Mollie's Motel Diner
Address	Atherton Street, Manchester, M60 9EA

### Representation

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

The Licensing and Out of Hours Team have assessed the likely impact of the granting this application taking into account a number of factors, including the nature of the area, hours applied for and any potential risk that the granting of this could lead to.

As a result of this assessment we have concerns that the granting of this application is likely to lead to increased issues of public nuisance, specifically relating to noise nuisance, public safety and protection of children from harm.

We therefore recommend that in order to prevent the problems described above the following conditions should be attached to the Premises Licence above the conditions proposed by applicant:

- All staff shall be trained in:
- a. How to refuse service.
- b. Child welfare training including child exploitation in the hospitality industry.
- c. Action to be taken in the event of an emergency and reporting an incident to the emergency services.
  - All external ground floor fire exit doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened.
  - The premises licence holder shall ensure that all times when the public is present there is at least one competent person able to administer first aid, that an adequate and appropriate supply of first aid equipment and materials is available on the premises, that adequate records are retained in relation to the supply of any first aid treatment.
  - All staff on duty at the premises shall be trained in fire safety and evacuation procedures for the premises and aware of their individual responsibilities, this includes any door supervisors.

- Staff training shall include procedures to deal effectively with emergency incidents including:
- (a) Reporting an emergency to the relevant emergency service.
- (b) Safe evacuation of customers.
- (c) Dealing with terrorist threats or incidents.
- The licence holder shall enter into an agreement with a hackney carriage and/or private hire firm to provide transport for customers with contact numbers made readily available to customers. Where possible a call back system will be operated and drivers instructed not to sound their horns when collecting customers.
- No unaccompanied children shall be permitted entry to the restaurant areas after 2200.
- Speakers shall not be located to the external perimeter of the premises save for intercom system use and for safety announcements (for the sake of clarity this does not prevent the use of speakers on the pool side or terrace areas).
- No regulated entertainment shall be provided in the external area of the roof top terrace.

Recommendation: Approve with Conditions (Outlined Above)

From: **Councillor Joan Davies** <cllr.j.davies@manchester.gov.uk>

Date: 24 August 2018 at 22:40

Subject: Re: Premises Licence (new) 216448/RP5: Mollie's Motel Diner, Atherton Street,

Manchester, M60 9EA, (Deansgate ward)

To: Premises Licensing premises.licensing@manchester.gov.uk>

Cc: Councillor Marcus Johns <cllr.marcus.johns@manchester.gov.uk>, Councillor William

Jeavons <cllr.william.jeavons@manchester.gov.uk>

On Fri, 24 Aug 2018 at 22:39, Councillor Joan Davies <<u>cllr.j.davies@manchester.gov.uk</u>> wrote:

To Premises Licensing

Deansgate Ward Councillors wish to make a representation in respect of this application.

We welcome the application, but have concerns regarding three areas

Firstly we would like to see the condition regarding the rooftop outside area tightened so that the area will be closed to customers by 11pm.

Secondly we seek assurances that the smoking policy will ensure that smokers are not disturbing residents. We would like to know more about plans for a designated smoking area.

Finally, we are concerned about entertainment, refreshment and alcohol being supplied to non-residents until 4am and 5am. We do not think this is appropriate for this location. There is a large number of low rise residential property in the area which, despite its city centre location, is extremely quiet at these hours. Any noise from customers leaving the premises at such times would be highly intrusive.

This representation is made on behalf of myself and Councillors William Jeavons and Marcus Johns. Would you please acknowledge receipt and also inform us of the date of the hearing.

Regards

Joan Davies

Councillor Joan Davies Labour Councillor for Deansgate Ward, Manchester

07795 635 027

Councillors Joan Davies, William Jeavons and Marcus Johns hold an advice surgery on the 1st and 3rd Monday 6-7pm at Central Library, except August and Bank Holidays

35, Culvercliff Walk,

St. John's Gardens,

Manchester M3 4FL,

24th August 2018

Application 216448/ RP5 Mollies Motel Diner, Atherton Street M60 9EA

Dear Sirs,

I have an objection to the long hours proposed for the rooftop bar and swimming pool. My submission is that this area is likely to cause most noise late at night to the whole of the surrounding area, which will be a public nuisance. I submit that there should be a condition of the licence that the rooftop bar and pool should cease licensable activities by 10pm and close at 11pm at the latest. The sound of a group of people talking and laughing at that height above ground will carry over a wider area than at ground level and be louder and more audible.

Yours faithfully,

Anna F W Woolley

