



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 21 January 2019

Time: 10.00 am

Venue: Council Antechamber - Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

### **Access to the Council Chamber**

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

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**Councillors** – Jeavons (Chair), Lynch and Reid

## Agenda

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**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 Temporary Event Notice x 2 for Dice Lounge, 936-938 Stockport Road, Manchester, M19 3NN.** 5 - 36

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

**5. Application for a New Premises Licence for Wework, Ground to 6th Floor, Dalton Place, John Dalton Street, Manchester, M2 6DS.** 37 - 82

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

**6. Application for a New Premises Licence for Co-op 129 Beech Road, Manchester M21 9EQ** 83 - 138

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

**7. Application for a New Premises Licence for Hetherington's Café Bar, 8 Pollard Street, Manchester M4 7DS** 139 - 182

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

**8. Application for a New Premises Licence for Elegant Barbers, 10 Greenheys Lane, Manchester M15 6NQ** 183 - 242

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

**9. Application for a Premises Licence Variation for Terrace, 43** 243 - 244

**Thomas Street, Manchester, M4 1NA**

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

- 10. Application for a New Premises Licence for Shell Kingsburn, Kingsway, Manchester M19 1RA** 245 - 246

The report of the Head of Planning, Building Control and Licensing is attached.
- 11. Application for a New Premises Licence for Everyman Cinema, Unit 1, ABC Building, 23 Quay Street, Manchester M3 4AS** 247 - 248

The report of the Head of Planning, Building Control and Licensing is attached.
- 12. Application for a SEV Renewal for Obsessions, 2b Whitworth Street West, Manchester, M1 5WZ** 249 - 272

The report of the Head of Planning, Building Control and Licensing is attached.
- 13. Application for a SEV Renewal for Victoria's, Part Basement, 8 Dantzig Street, Manchester, M4 2AD** 273 - 298

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

## Information about the Committee

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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

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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](mailto:b.morgan@manchester.gov.uk)

This agenda was issued on **Friday, 11 January 2019** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA



## **Considerations**

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

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

In determining the notice, 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.

## **Temporary Event Notice**

In accordance with s105(2)(b) of the Licensing Act 2003, the Licensing Sub-Committee must, having regard to the objection notice, decide:

1. Whether or not it considers it necessary for the promotion of the crime prevention objective to issue a counter notice.

## Summary of representations received

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)**

GMP objects to the grant of this Temporary Event Notice on the grounds of the Prevention of Crime and Disorder.

A serious incident involving numerous people occurred just outside the premises at 3am on New Years' Day during which a male received stab wounds. An investigation into this incident is being carried out by CID and this will advise GMP Licensing as to what action may be deemed necessary once the full circumstances of the incident are uncovered.

Therefore GMP do not want any extension of hours at this premises until such time as all these enquiries are completed and GMP licensing are fully appraised as to the cause and culpability of the incident.

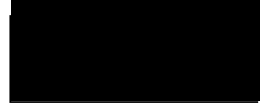
As such we ask that this TEN application is refused.

## GREATER MANCHESTER POLICE



To: Manchester City Council  
Licensing Unit  
Manchester Town Hall Extension  
Lloyd Street  
Manchester

To: Alec McLeish



10<sup>th</sup> January 2019

Dear Sir

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

<b>PREMISES NAME:</b>	<b>Dice Lounge</b>
<b>ADDRESS:</b>	936-938 Stockport Road Manchester M19 3NN
<b>DATE OF EVENT:</b>	26/01/19
<b>TIME OF EVENT:</b>	0130-0430 hrs

GMP objects to the grant of this Temporary Event Notice on the grounds of the Prevention of Crime and Disorder.

A serious incident involving numerous people occurred just outside the premises at 3am on New Years' Day during which a male received stab wounds. An investigation into this incident is being carried out by CID and this will advise GMP Licensing as to what action may be deemed necessary once the full circumstances of the incident are uncovered.

Therefore GMP do not want any extension of hours at this premises until such time as all these enquiries are completed and GMP licensing are fully appraised as to the cause and culpability of the incident.

As such we ask that this TEN application is refused.



**GREATER MANCHESTER POLICE**

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

Date/Time 10th January 2019 0945 hrs

.....

# Temporary Event Notice

Payment Transaction number:- ASA/277136 | Form Reference number ASA/2935094

## Premises User Information

Title

Mr

If other please state

*n/a*

Surname

McLeish

Forenames

Alec

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

McLeish

Your date of birth

[REDACTED]

Your place of birth

Leeds

National Insurance Number

[REDACTED]

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

[REDACTED]  
[REDACTED]  
[REDACTED]

Telephone

[REDACTED]

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email address

[REDACTED]

Address

n/a

Telephone

n/a

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email

n/a

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## Premises information

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

Dice Lounge  
936-938 Stockport Road  
Manchester M19 3NN

Premises licence number

178795

Club premises certificate number

n/a

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

n/a

Please describe the nature of the premises

Wine bar

Please describe the nature of the event

Birthday party with music by DJ,

## Licensable activities

The sale by retail of alcohol

Yes

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

No

The provision of regulated entertainment

Yes

The provision of late night refreshment

Yes

Are you giving a late temporary event notice?

No

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

26/01/2019

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

0130 - 0430

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

50

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

On

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

No

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

n/a

## Personal Licence Details

Do you currently hold a valid Personal Licence?

Yes

Issuing Authority

Leeds City Council

Licence Number

[REDACTED]

Date of Issue

21/06/1996

Date of Expiry

n/a

Any further relevant details

n/a

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

No

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

n/a

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

Yes

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

Yes

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

n/a

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

No

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

No

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

n/a

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

No

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## Declaration and Payment New

Name

Alec McLeish

Capacity in which you are making this application

License holder

---

## Additional information

I\_understand

Yes

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These are the files included with this application :-

Acknowledgement

I acknowledge receipt of this temporary event notice

Signature:

On behalf of the Licensing Authority

Date:

Name of officer signing:





## Licensing Act 2003 (Hearings) Regulations 2005

**Reference:** 225304  
**Name:** Dice Lounge  
**Address:** 936-938 Stockport Road, Manchester, M19 3NN  
**Ward:** Levenshulme

**Hearing Date: 21/01/2019**

**Application Type:** Temporary Event Notice  
**Premises User:** Mr Alec McLeish  
**Date of Notice:** 10/03/2019

### Summary of notice

**Event Description:** Birthday party with music by DJ

#### Event Details

**Dates:** 10/03/2019 to 10/03/2019

**Times:** 0130 to 0500

#### Licensable Activities

**Sale of Alcohol:** Y **For Consumption:** On Premises

**Alcohol in Club:**

**Regulated Entertainment:** Y

**Late Refreshment:** Y

### Representations Received

#### Responsible Authority

- Greater Manchester Police

#### Grounds For Representation

- Crime & Disorder

## Considerations

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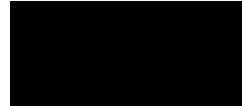
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Manchester Town Hall Extension  
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10<sup>th</sup> January 2019

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<b>TIME OF EVENT:</b>	0130-0500 hrs

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**GREATER MANCHESTER POLICE**

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

Date/Time 10th January 2019 0950 hrs

.....

# Temporary Event Notice

Payment Transaction number:- ASA/277142 | Form Reference number ASA/2935101

## Premises User Information

Title

Mr

If other please state

West Yorkshire

Surname

McLeish

Forenames

Alec

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

McLeish

Your date of birth

[REDACTED]

Your place of birth

Leeds

National Insurance Number

[REDACTED]

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

[REDACTED]

Telephone

[REDACTED]

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email address

Address

n/a

Telephone

n/a

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email

n/a

## Premises information

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

Dice Lounge  
936 -938 Stockport Road  
Manchester M19 3NN

Premises licence number

178795

Club premises certificate number

n/a

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

n/a

Please describe the nature of the premises

Wine bar.

Please describe the nature of the event

Birthday party with music by DJ.

---

## Licensable activities

The sale by retail of alcohol

Yes

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

No

The provision of regulated entertainment

Yes

The provision of late night refreshment

Yes

Are you giving a late temporary event notice?

No

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

10/03/2019



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

0130 - 0500

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

50

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

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

No

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

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## Personal Licence Details

Do you currently hold a valid Personal Licence?

Yes

Issuing Authority

Leeds City Council

Licence Number

Date of Issue

21/06/1996

Date of Expiry

n/a

Any further relevant details

n/a

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

Yes

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

1

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

No

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No

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No

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

n/a

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

No

---

## Declaration and Payment New

Name

Alec McLeish

Capacity in which you are making this application

License holder

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## Additional information

I\_understand

Yes

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These are the files included with this application :-

Acknowledgement

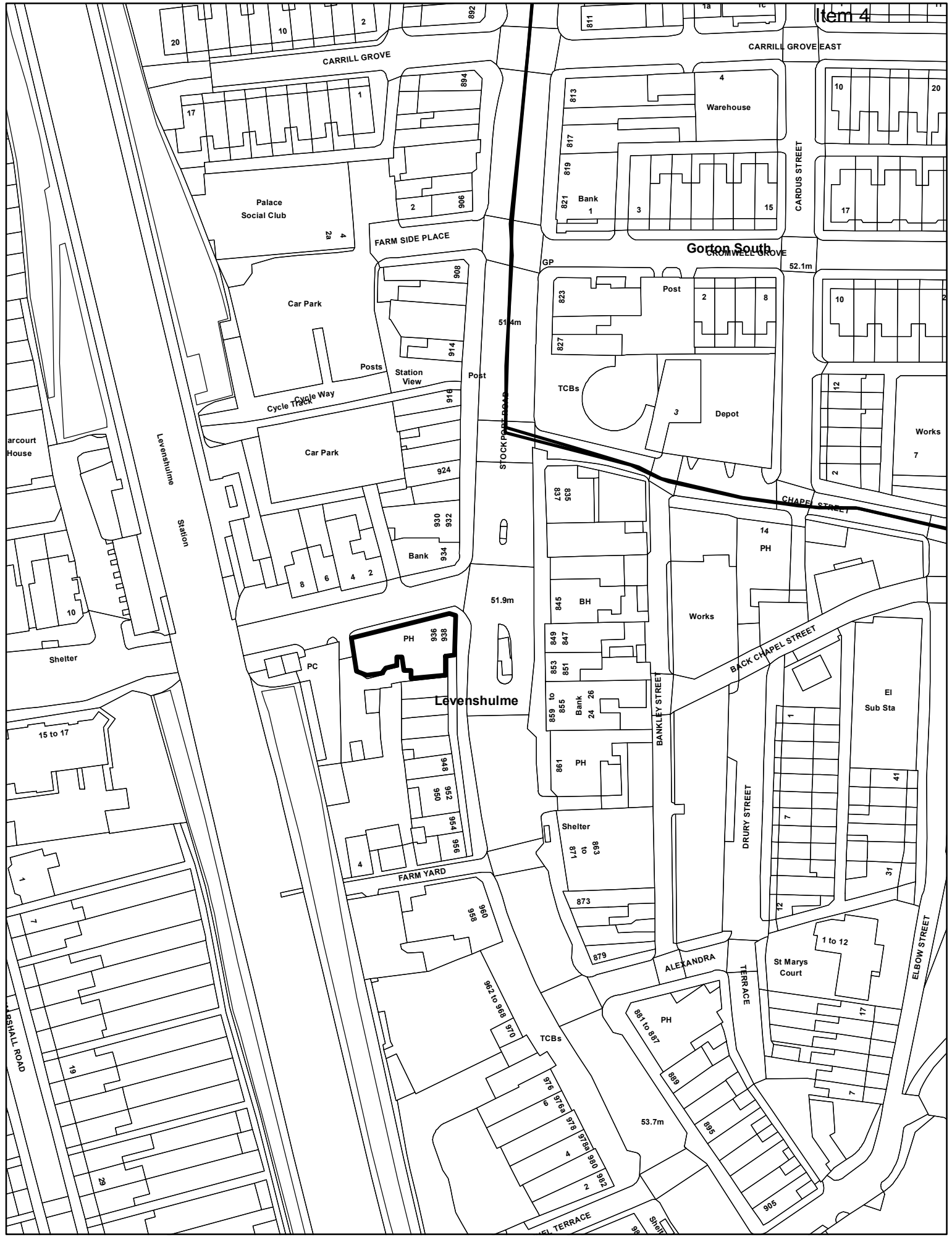
I acknowledge receipt of this temporary event notice

Signature:

On behalf of the Licensing Authority

Date:

Name of officer signing:





**PREMISE NAME:** Dice Lounge

**PREMISE ADDRESS:** 936-938 Stockport Road, Manchester, M19 3NN

**WARD:** Levenshulme

**HEARING DATE:**



# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

<b>Premises licence number</b>	178795
<b>Granted</b>	29/08/2015
<b>Latest version</b>	DPS variation 209522 granted 25/03/2018

### Part 1 - Premises details

<b>Name and address of premises</b>
<b>Dice Lounge</b> 936-938 Stockport Road, Manchester, M19 3NN
<b>Telephone number</b>
0161 425 1449

<b>Licensable activities authorised by the licence</b>
<ol style="list-style-type: none"> <li>1. The sale by retail of alcohol*.</li> <li>2. The provision of regulated entertainment, limited to: Live music; Recorded music.</li> <li>3. The provision of late night refreshment.</li> </ol> <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

<b>The times the licence authorises the carrying out of licensable activities</b>
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<b>Sale by retail of alcohol</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	2400	2400	2400	2400	0130	0130	2400
The sale of alcohol is licensed for consumption on the premises only.							
<b>Seasonal variations and Non standard Timings:</b>							
<u>Christmas Eve and New Year's Eve:</u> Finish 0130							
<u>New Year's Eve:</u> Finish 0200							
<u>On the day British Summer Time commences:</u> One additional hour following the terminal hour.							

<b>Live music; Recorded music</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	2400	2400	2400	2400	0130	0130	2400
Licensed to take place indoors only.							
<b>Seasonal variations and Non standard Timings:</b>							
<u>Christmas Eve and New Year's Eve:</u> Finish 0130							
<u>New Year's Eve:</u> Finish 0200							
<u>On the day British Summer Time commences:</u> One additional hour following the terminal hour.							

<b>Provision of late night refreshment</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0030	0030	0030	0030	0100	0100	0030
Licensed to take place both indoors and outdoors.							
<b>Seasonal variations and Non standard Timings:</b>							
Christmas Eve and New Year's Eve: Finish 0130							
New Year's Eve: Finish 0200							
On the day British Summer Time commences: One additional hour following the terminal hour.							

<b>Hours premises are open to the public</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0030	0030	0030	0030	0200	0200	0030
<b>Seasonal variations and Non standard Timings:</b>							
Christmas Eve and New Year's Eve: Finish 0200							
New Year's Eve: Finish 0230							
On the day British Summer Time commences: One additional hour following the terminal hour.							

## Part 2

<b>Details of premises licence holder</b>	
<b>Name:</b>	Alec McLeish
<b>Address:</b>	[REDACTED]
<b>Registered number:</b>	Not applicable

<b>Details of designated premises supervisor where the premises licence authorises for the supply of alcohol</b>	
<b>Name:</b>	Aise Norvel Ndiele
<b>Address:</b>	[REDACTED]
<b>Personal Licence number:</b>	[REDACTED]
<b>Issuing Authority:</b>	Preston City Council

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



3. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
4. (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.

## Annex 2 – Conditions consistent with the operating schedule

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.
2. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:
  - a. All crimes reported to the venue, or by the venue to the Police
  - b. All ejections of patrons
  - c. Any incidents of disorder
  - d. Any faults in the CCTV system or searching equipment or scanning equipment
  - e. Any refusal of the sale of alcohol
  - f. Any visit by a relevant authority or emergency service
3. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice.
4. The premises shall display prominent signage indicating at any point of sale, the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.
5. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals.
6. Christmas Eve, alcohol sales until 0130, premises close at 0200. New Year's Eve, alcohol sales until 0200, premises close at 0230.
7. No off sales.
8. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
9. Smoking to take place at the rear of the premises only.
10. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 0800 and 2000 hours.
11. No deliveries must be made to the premises between 0730 and 2000 hours

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

1. When the premises are carrying out licensable activities at least one Security Industry Authority (SIA) licensed door supervisor shall be on duty from 2100 till close on Fridays and Saturdays, on the night preceding a bank holiday and when there is an organised ticketed event.
2. No alcohol or glassware to be taken off the premises and signage to be located at each exit stating this.
3. Recorded and live music to be on the premises only.
4. All windows and external doors shall be kept shut between the hours of 2200 and 0200, or any time that regulated entertainment takes place, except for the immediate access and egress of persons.
5. Speakers shall not be located/operated in the entrance to the lobby or outside the premises.
6. While live or recorded music takes place, the licensee or management shall undertake regular monitoring of noise levels at the nearest noise sensitive locations. A record shall be kept of any monitoring, including the date, time and location of monitoring, the name of the monitor; and any action taken. Records should be kept for no less than six months and shall be made available upon request by a police officer or an authorised officer of Manchester City Council.
7. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that give rise to nuisance.
8. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, or a card bearing the PASS hologram
9. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log,
10. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.
11. Notices shall be prominently displayed near all exits from the premises asking patrons to leave quietly with consideration for neighbours.
12. Notices shall be prominently displayed at any area used for smoking requesting patron to respect the needs of local residents and use the area quietly.
13. Management and staff shall use their best endeavour to move people on, who are congregating outside the premises during hours of operation and after closing hours.

**Annex 4 – Plans**

See attached

**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 21 January 2019

**Subject:** Wework, Ground to 6th Floor, Dalton Place, John Dalton Street, Manchester, M2 6DS - (App ref: 223245)

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

**Summary**

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

**Recommendations**

That the Panel determine the application.

**Wards Affected:**

Deansgate

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

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

Equal Opportunities Policy  
Risk Management  
Legal Considerations

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Contact Officers:**

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Telephone: 0161 234 1176  
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Name: Dave Skelly  
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**Background documents (available for public inspection):**

Manchester City Council Statement of Licensing Policy 2016 - 2021  
Guidance issued under section 182 of the Licensing Act 2003, April 2017  
Licensing Act 2003 (Hearings) Regulations 2005  
Any further documentary submissions by any party to the hearing

## 1. **Introduction**

- 1.1 On 21/11/2018, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Wework, Ground to 6th Floor, Dalton Place, John Dalton Street, Manchester, M2 6DS 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. **The Application**

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Dalton Place Tenant Ltd.
- 2.3 The description of the premises by the applicant is Office space with provision for refreshment facilities limited to designated office users and their bona fide guests.
- 2.4 The proposed designated premises supervisor is Eleni Zneimer
- 2.5 **The licensable activities applied for:**
- The supply of alcohol for consumption on the premises only:  
Mon to Sun 2pm to 10pm
- Opening hours:  
The premises are never open to the public
- 2.5.1 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.
- 2.6 **Activities unsuitable for children**

2.6.1 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.

## 2.7 **Steps to promote the licensing objectives**

2.7.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.

2.7.2 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 One relevant representation was received in respect of the application (**Appendix 3**):

### Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	Concerns in relation to the self-serve provision of alcohol, particularly regarding controls over limiting supplies of alcohol to individuals, potential access to the premises by under 18s, and the holding of events	Grant with conditions

3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at Appendix 4.

## 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.

- Identified risk factors specific to the licensed premises

### ***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

MS12 Prevent underage sales of alcohol, including proxy sales

## 5. **Conclusion**

- 5.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 5.2 In considering the matter, the Panel should take into account any 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.
- 5.3 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.
- 5.4 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.
- 5.5 All licensing determinations should be considered on the individual merits of the application.
- 5.6 The Panel’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to

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

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

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



Wework  
Ground to 6th Floor, Dalton Place, John Dalton Street,  
Manchester, M2 6DS

Premises Licensing  
Manchester City Council

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Ordnance Survey 100019568.

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**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 Dalton Place Tenant 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			
Wework Ground to 6 <sup>th</sup> floors Dalton Place John Dalton Street			
<b>Post town</b>	Manchester	<b>Postcode</b>	M2 6DS

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£not yet rated

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as      Please tick as appropriate

- |  |                          |                             |
|--|--------------------------|-----------------------------|
| a) an individual or individuals *                    | <input type="checkbox"/> | 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

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



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

**(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.

<b>Name</b> Dalton Place Tenant Limited
<b>Address</b>  Legalinx Ltd 1 Fetter Lane London EC4A 1BR
<b>Registered number (where applicable)</b>  11574538
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b>  Company
<b>Telephone number (if any)</b>
<b>E-mail address (optional)</b>

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
2	01	22018

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)

Office space with provision for refreshment facilities limited to designated office users and their bona fide guests

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)

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

**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				<b><u>Please give further details here</u></b> (please read guidance note 4)	
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

C

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

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Wed					
Thur			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Wed					
Thur			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					



## G

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> 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	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri					
Sat			<b><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></b> (please read guidance note 6)		
Sun					

## I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>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</u></b> (please read guidance note 6)		
Sat					
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	14.00	22.00			
Tue	14.00	22.00			
Wed	14.00	22.00			
Thur	14.00	22.00			
Fri	14.00	22.00			
Sat	14.00	22.00			
Sun	14.00	22.00			
			<b>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</b> (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 Eleni Zneimer	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) LN/000017605	
Issuing licensing authority (if known) Islington	

K

**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 9).

None

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b><u>State any seasonal variations</u></b> (please read guidance note 5)
Day	Start	Finish	<p><b>The premises are never open to the public</b></p> <hr/> <p><b><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></b> (please read guidance note 6)</p> <p><b>The premises are never open to the public</b></p>
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

**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)**

1. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.
2. Occupants permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
3. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as offices.
4. Outside of the hours authorised for the sale of alcohol and whilst the premises are open, the licence holder shall ensure that all alcohol within the premises which is dispensed by the licence holder is secured so as to prevent access to the alcohol by both members and staff.
5. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Greater Manchester Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
6. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
7. The supply of alcohol shall only be to members of the WeWork group of companies or employees of member companies, or their bona fide guests.
8. The sale or supply of alcohol shall be restricted to the area cross hatched in green as shown on the plan.
9. The Wework Community Manager responsible for the premises shall ensure that the area of the premises where alcohol is supplied under this licence shall be regularly patrolled by community management and housekeeping teams during the hours that supply of alcohol is permitted to ensure compliance with the Licensing Act 2003 and the Wework Responsible Alcohol Management Plan

**b) The prevention of crime and disorder**

See box a

**c) Public safety**

See box a

**d) The prevention of public nuisance**

See box a

**e) The protection of children from harm**

See box a

**Checklist:****Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- 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).


**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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <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 licensable 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	
Date	20 <sup>th</sup> November 2018
Capacity	Solicitors for the applicant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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) Craig Baylis BCLP Adelaide House London Bridge			
Post town	London	Postcode	EC4R 9HA
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.

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**MANCHESTER  
CITY COUNCIL**

**Licensing & Out of Hours Compliance Team - Representation**

Name	Adele Officer
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	[REDACTED]
Telephone Number	[REDACTED]

**Premise Details**

Application Ref No	223245
Name of Premises	Wework
Address	Ground to 6th floor, Dalton Place, John Dalton St

**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 business, size of the premise and any potential risk that the granting of the application in its current form as we do not believe that this ensure compliance with the four licensing objectives.

The applicant offers office space for rent with the provision of refreshment facilities, which includes alcohol. While access to the premises is limited to office users this also includes bona fide guests. This premise is over seven floors and provides space for approximately 1660 work stations, not including space covered in communal areas and interview rooms.

As a result of this assessment we have concerns that the granting of this application is likely to lead to issues of public nuisance, crime and disorder, and the risk of harm to children. The Licensing and Out of Hours Team specifically have concerns in relation to the self-serve style of the alcohol at the premise.

The application in its current form shows six of the seven floors have a self-serve beer tap(s) which the Licensing and Out of Hours Team have been informed will have one keg attached and once emptied will not be replaced until the following day. Kegs in the UK vary in size ranging from a capacity of 88 pints to 240 pints approximately. As a member of staff is not always present at the facility, the 'Wework, Responsible Alcohol Management' Exhibit AO1, pages 4/6 states patrols must be in the area for 30 minutes in every hour; therefore there is not full control on the number of drinks any one person can access. There is also a risk that a person under the age of 18 can access the facility unchallenged during times when staff members are not present.

Further information from the applicant suggests they are not looking to have a beer tap(s) on every floor as indicated on the plan submitted with this

application.

Although the premises is not alcohol led, the 'Wework, Responsible Alcohol Management' Exhibit AO1, page 13, makes reference to events being held in the premise, which we feel have not been addressed within this application.

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

All staff should be trained in the following before they commence paid duty at the premise:

- Relevant age restrictions
- Recognising signs of drunkenness
- How to refuse service
- The conditions in force under this licence
- Company policies and reporting procedures

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

The premise shall have a documented Duty of Care policy for managing intoxicated and vulnerable people at the premises.

There shall be no self-serve wine & spirits on the premises.

SIA registered door staff shall be employed at the premises, in accordance with a risk assessment to be carried out by the DPS on an event by event basis. When employed, door staff will wear high visibility armbands.

When employed, a register of those door staff employed shall be maintained at the premises and shall include:

- the number of door staff on duty;
- the identity of each member of door staff;
- the times the door staff are on duty.

The premise shall display signage indicating at the point of sale that the challenge 21 scheme is in operation.

The premise shall display signage indicating at the point of sale that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.

An incident log (which may be electronically recorded) shall be kept at the premises for at least 6 months, and made available on request to the police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:

- all crimes reported to the venue, or by the venue to the police.
- all ejections of patrons
- any incidents of disorder



any refusal of the sale of alcohol

Before commencement of this licence the applicant must provide the authority with an accurate plan detailing which floor(s) alcohol will be supplied from and the number of taps on each floor.

We believe these conditions are proportionate and necessary to prevent the problems described.

Recommendation: Approve with Conditions (Outlined Above)



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## Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> <li>1. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:               <ol style="list-style-type: none"> <li>(a) all crimes reported to the venue</li> <li>(b) all ejections of patrons</li> <li>(c) any complaints received concerning crime and disorder</li> <li>(d) any incidents of disorder</li> <li>(e) all seizures of drugs or offensive weapons</li> <li>(f) any faults in the CCTV system, searching equipment or scanning equipment</li> <li>(g) any refusal of the sale of alcohol</li> <li>(h) any visit by a relevant authority or emergency service.</li> </ol> </li> <li>2. Occupants permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.</li> <li>3. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as offices.</li> <li>4. Outside of the hours authorised for the sale of alcohol and whilst the premises are open, the licence holder shall ensure that all alcohol within the premises which is dispensed by the licence holder is secured so as to prevent access to the alcohol by both members and staff.</li> <li>5. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Greater Manchester Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.</li> <li>6. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.</li> </ol>	N/A	Applicant

## Schedule of Licence Conditions

<p>7. The supply of alcohol shall only be to members of the WeWork group of companies or employees of member companies, or their bona fide guests.</p> <p>8. The sale or supply of alcohol shall be restricted to the area cross hatched in green as shown on the plan.</p> <p>9. The Wework Community Manager responsible for the premises shall ensure that the area of the premises where alcohol is supplied under this licence shall be regularly patrolled by community management and housekeeping teams during the hours that supply of alcohol is permitted to ensure compliance with the Licensing Act 2003 and the Wework Responsible Alcohol Management Plan</p>		
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
<p>1. All staff should be trained in the following before they commence paid duty at the premise:</p> <p>Relevant age restrictions  Recognising signs of drunkenness  How to refuse service  The conditions inforce under this licence  Company policies and reporting procedures</p> <p>2. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.</p> <p>3. The premise shall have a documented Duty of Care policy for managing intoxicated and vulnerable people at the premises.</p> <p>4. There shall be no self-serve wine &amp; spirits on the premises.</p> <p>5. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment to be carried out by the DPS on an event by event basis. When employed, door staff will wear high visibility armbands.</p> <p>When employed, a register of those door staff employed shall be maintained at the premises and shall include:</p>	No	Licensing and Out of Hours

## Schedule of Licence Conditions

<p>a) the number of door staff on duty;  b) the identity of each member of door staff;  c) the times the door staff are on duty.</p> <p>6. The premise shall display signage indicating at the point of sale that the challenge 21 scheme is in operation.</p> <p>7. The premise shall display signage indicating at the point of sale that is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.</p> <p>8. An incident log (which may be electronically recorded) shall be kept at the premises for at least 6 months, and made available on request to the police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:</p> <p style="padding-left: 40px;">a) all crimes reported to the venue, or by the venue to the police.  b) all ejections of patrons  c) any incidents of disorder  d) any refusal of the sale of alcohol</p> <p>9. Before commencement of this licence the applicant must provide the authority with an accurate plan detailing which floor(s) alcohol will be supplied from and the number of taps on each floor.</p>		
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 21 January 2019

**Subject:** Co-op, 129 Beech Road, Manchester, M21 9EQ - (App ref: 223551)

**Report of:** Head of Planning, Building Control and Licensing

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**Summary**

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

**Recommendations**

That the Panel determine the application.

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**Wards Affected:**

Chorlton

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

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

Equal Opportunities Policy  
Risk Management  
Legal Considerations

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Contact Officers:**

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Telephone: 0161 234 1176  
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Name: Patrick Ware  
Position: Technical Licensing Officer  
Telephone: 0161 234 4858  
E-mail: p.ware@manchester.gov.uk

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**Background documents (available for public inspection):**

Manchester City Council Statement of Licensing Policy 2016 - 2021  
Guidance issued under section 182 of the Licensing Act 2003, April 2017  
Licensing Act 2003 (Hearings) Regulations 2005  
Any further documentary submissions by any party to the hearing

## 1. **Introduction**

- 1.1 On 26/11/2018, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Co-op, 129 Beech Road, Manchester, M21 9EQ in the Chorlton 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 Co-operative Group Food Ltd.
- 2.3 The description of the premises by the applicant is ADD DESCRIPTION
- 2.4 The proposed designated premises supervisor is Suzanne Ashurst
- 2.5 **The licensable activities applied for:**
- The supply of alcohol for consumption off the premises only:  
Mon to Sun 7am to 11pm
- Opening hours:  
Mon to Sun 7am to 11pm
- 2.5.1 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.
- 2.5.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.
- 2.6 **Activities unsuitable for children**

2.6.1 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.

## 2.7 **Steps to promote the licensing objectives**

2.7.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.

2.7.2 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**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

### Responsible Authorities:

- No representations from Responsible Authorities

### Other Persons:

- Local business group (x1).

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
<b>Local Business Group (x1)</b>	Concerns regarding a potential increase in anti-social behaviour and crime and disorder.	Additional conditions.

3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.

## 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.

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS4 Prevent the use of illegal drugs, new psychoactive substances (NPS) and the spiking of drinks at the premises
- MS5 Prevent on-street consumption of alcohol
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)
- 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
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

### **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.**





Co-op  
129 Beech Road, Manchester, M21 9EQ



**PREMISE NAME:** Co-op

**PREMISE ADDRESS:** 129 Beech Road, Manchester, M21 9EQ

**WARD:** Chorlton

**HEARING DATE:** 21/01/2019

**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 Co-operative Group Food 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			
<b>Co-op</b>			
<b>129 Beech Road</b>			
<b>Post town</b>	Chorlton	<b>Postcode</b>	<b>M21 9EG</b>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£0</b>

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as      Please tick as appropriate

- |  |                                     |                             |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals *                    | <input type="checkbox"/>            | please complete section (A) |
| b) a person other than an individual *               |                                     |                             |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | 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
- 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 type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>			I am 18 years old or over <input type="checkbox"/> Please tick yes		
<b>Nationality</b>					
Current residential address if different from premises address					
Post town		Postcode			
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**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)	
<b>Surname</b>			<b>First names</b>		

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

**(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 Co-operative Group Food Limited
Address Dept 10227 1 Angel Square Manchester M60 0AG
Registered number (where applicable) 26715R
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

**Part 3 Operating Schedule**

When do you want the premises licence to start?

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

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

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

Please give a general description of the premises (please read guidance note 1)  
 Convenience store open seven days a week, selling groceries, sundry items and alcohol for consumption off the premises

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)

**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)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
Tue				<b><u>Please give further details here</u></b> (please read guidance note 4)	
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Tue					
			<b><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></b> (please read guidance note 6)		
Wed					
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			<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)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Wed					
Thur			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Wed					
Thur			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

## G

Performances of dance Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

**H**

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


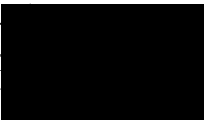

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>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</u></b> (please read guidance note 6)		
Sat					
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	07:00	23:00			
Tue	07:00	23:00			
Wed	07:00	23:00			
Thur	07:00	23:00			
Fri	07:00	23:00			
Sat	07:00	23:00			
Sun	07:00	23:00			
			<b>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</b> (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 Suzanne Ashurst	
Date of birth 	
	
Postcode	
Personal licence number (if known) PL2023	
Issuing licensing authority (if known) Wigan Council	



□□□□

K

**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 9).  
 NONE

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	07:00	23:00	
Tue	07:00	23:00	
Wed	07:00	23:00	
Thur	07:00	23:00	
Fri	07:00	23:00	
Sat	07:00	23:00	
Sun	07:00	23:00	
<b>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</b> (please read guidance note 6)			

**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)**

The applicant has given thought to the potential impact of the grant of this application on the four licensing objectives and, having regard to the locality, considers that the following conditions are appropriate.

**b) The prevention of crime and disorder**

1. The premises shall maintain a CCTV system which gives coverage of all entry and exit points. The system shall continually record whilst the premises are open and conducting licensable activities. All recordings shall be stored for a minimum period of 28 days and shall be capable of being easily downloaded. Recordings shall be made available upon the receipt of a request by an authorised Officer of the Police or the Local Authority.

2. There shall be "CCTV in Operation" signs prominently displayed at the premises.

3. An incident log (whether kept in a written or electronic form) shall be retained at the premises and made available to an authorised Officer of the Police or the Local Authority.

4. The premises shall operate a proof of age scheme, such as a Challenge 25, whereby the only forms of acceptable identification shall be either a photographic driving licence, a valid passport, military identification or any other recognised form of photographic identification incorporating the PASS logo, or any other form of identification from time to time approved by the secretary of the state.

5. The premises will be fitted with a burglar alarm system

6. The premises will be fitted with a panic button system for staff to utilise in the case of an emergency.

**c) Public safety**

The premises licence holder shall ensure that the appropriate fire safety, and health and safety regulations are applied at the premises.

**d) The prevention of public nuisance**

A complaints procedure will be maintained, details of which will be made available in store and upon request.

**e) The protection of children from harm**

1. All staff will receive comprehensive training in relation to age restricted products and in particular the sale of alcohol. No member of staff will be permitted to sell age restricted products until such time as they have successfully completed the aforementioned training.
2. An age till prompt system will be utilised at the premises in respect of age restricted products.
3. A refusals register (whether kept and written or electronic form) will be maintained at the premises and will be made available for inspection upon request by an authorised Officer of the Police or the Local Authority

**Checklist:****Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- 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).

**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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <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 licensable 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	<i>Ward Hadaway</i>
Date	26 November 2018
Capacity	Solicitors for the Applicant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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) Mrs Cheryl Scott Ward Hadaway Sandgate House 102 Quayside			
Post town	Newcastle upon Tyne	Postcode	NE1 3DX
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			

DPS Consent Form

Consent of individual to being specified as premises supervisor

I... SUZANNE ASHURST .....  
[full name of prospective premises supervisor]

of. [REDACTED] .....

.....  
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Designated Premises Supervisor Variation by The Co-operative Group Food Limited

relating to a premises licence ..... [store's Premises Licence number]  
for

..... CHARLTON, Beech Road .....

.....  
[name and address of store premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by The Co-operative Group Food Limited concerning the supply of alcohol at

..... CHARLTON, Beech Road .....

.....  
[name and address of store premises to which 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.  
[please tick to confirm]

Personal licence number PL2023 .....

[insert personal licence number]

Personal licence issuing authority... EL Wigan Council .....

[insert name of personal licence issuing authority]

[REDACTED] ..... Signed .....

SUZANNE ASHURST Name (please print) .....

16/3/18 ..... Dated .....

..... Date of Birth .....

..... Place of Birth .....

..... Nationality .....

Please return to: DPS Changes, Dept. 10227 – Licensing, The Co-operative Group, 1 Angel Square, Manchester M60 0AG

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From: **Chair Beech Road Traders** <[REDACTED]>  
Date: Wed, 19 Dec 2018 at 12:07  
Subject: Concerns regarding the licensing application for the new Co-Op on Beech Road  
To: <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>

Dear sirs

I represent the Beech Road traders - the trading association set up to keep the traders safe and to protect the road from harm.

I'm not sure if you know Beech Road, we're a small strip of independent traders in the heart of Chorlton. We are, on the whole, a group of small businesses doing their best everyday to turn a profit and offer customers something different.

We have some problems, like everywhere, Beech Road has a small park which is the evening destination for teens, and increasingly frequently gangs who come to cause trouble especially in winter. We also have a sort of village green outside the Horse and Jockey pub.

At the moment we don't have too much trouble on the Green, but ten years ago it became a destination for people to get drunk, before heading into the pubs and causing trouble. The local bars all had to put bouncers on the doors and the atmosphere of the place changed quite a lot.

Beech Road is a fantastic place - but it needs firm management so that we don't return to the antisocial behaviour issues where people were drunk/stoned people laying around the green and the park - especially in the summer months. The hijacking of the [festival in 2011](#) was our lowest point. The council and the police banned the festival from ever taking place again and we've had to work hard to reengage our local community again who felt that the traders had badly let them down.

We're frightened that the arrival of the Co-Op will shift the dynamics of the road again and increase the problems around antisocial behaviour. At the moment the only options to buy alcohol is at Ludo (they sell premium wines and a limited number of beers) and Etchells (again a fairly limited selection, and more expensive than the supermarkets as they can't secure the same buying discounts). There did used to be a small supermarket - this closed a year ago, but it was similar to the Etchells proposition - limited and comparatively expensive.

Many of the bars have increased their prices in an attempt to deter people who are only interested in volume drinking from visiting the area.

We're concerned that a Co-Op selling cheaper wine, beer and spirits will undo all of the work everyone has been doing for the last ten years. That this will encourage the return of antisocial behaviour, that the surrounding bars will have to increase security in response and that the shops who operate with just one person staffing them will be left increasingly vulnerable to abuse and at a greater risk of shoplifting.

The Co-Op have proved difficult to engage with and are acting like any big business. We've made some requests directly to them and we're awaiting their feedback. Some of these points are already covered in the licensing application.

- A firm commitment to adhere to over 25 purchase only
- What positive steps will the Co-Op be taking to reduce immediate consumption in public spaces e.g, no chilled beer/wine
- No window posters promoting alcohol offers
- No retail of half/quart/mini bottles
- Confirmation of what Co-Op funded security will be in place (to move on beggars hanging around near the cash machine/shop lifting etc)

We are requesting that the licensing office supports us by adding these conditions to the application.

I'm happy to talk with you if you need any further information.

Thank you for your consideration



Chair, Beech Road Traders Association



## Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> <li>1. The premises shall maintain a CCTV system which gives coverage of all entry and exit points. The system shall continually record whilst the premises are open and conducting licensable activities. All recordings shall be stored for a minimum period of 28 days and shall be capable of being easily downloaded. Recordings shall be made available upon receipt of a request by an authorised Officer of the Police or the Local Authority.</li> <li>2. There shall be "CCTV in operation" signs prominently displayed at the premises.</li> <li>3. An incident log (whether kept in written or electronic form) shall be retained at the premises and made available to authorised Officer of the Police or the Local Authority.</li> <li>4. The premises shall operate a proof of age scheme, such as a Challenge 25, whereby the only forms of acceptable identification shall be either a photographic driving licence, a valid passport, military identification or any other recognised form of photographic identification incorporating the PASS logo, or any other form of identification from time to time approved by the secretary of state.</li> <li>5. The premises shall be fitted with a burglar alarm system.</li> <li>6. The premises shall be fitted with a panic button system for staff to utilise in the case of an emergency.</li> <li>7. The premises licence holder shall ensure that the appropriate fire safety, and health and safety regulations are applied at the premises.</li> <li>8. A complaints procedure shall be maintained, details of which shall be made available in store and upon request.</li> <li>9. All staff shall receive comprehensive training in relation to age restricted products and in particular the sale of alcohol. No member of staff will be permitted to sell age restricted products until such a time as they have successfully completed the aforementioned training.</li> <li>10. An age till prompt system will be utilised at the premises in respect of age restricted products.</li> <li>11. A refusals register (whether kept in written or electronic form) shall be maintained at the premises and will be made available for inspection upon request by an authorised Officer of the Police or the Local Authority.</li> </ol>	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by

## Schedule of Licence Conditions

<ol style="list-style-type: none"> <li>1. Alcohol may only be purchased by those over 25 years of age.</li> <li>2. There shall be no sale of chilled beer or chilled wine.</li> <li>3. There shall be no window posters promoting alcohol offers.</li> <li>4. There shall be retail of half/quart/mini bottles.</li> <li>5. Security staff shall be in place at the premises during opening hours. These staff shall prevent beggars loitering near to any cash machine at the premises and prevent shop lifting.</li> </ol>	No (all)	Beech Road Traders Association
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 21 January 2019

**Subject:** Hetherington's Cafe Bar, 8 Pollard Street, Manchester, M4 7DS -  
(App ref: Premises Licence (new)222035)

**Report of:** Head of Planning, Building Control and Licensing

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**Summary**

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

**Recommendations**

That the Panel determine the application.

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**Wards Affected:**

Ancoats and Beswick

<b>Manchester Strategy Outcomes</b>	<b>Summary of the contribution to the strategy</b>
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

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Contact Officers:**

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

Name: Louise Dormer  
Position: Technical Licensing Officer  
Telephone: 0161 234 1460  
E-mail: louise.dormer@manchester.gov.uk

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**Background documents (available for public inspection):**

Manchester City Council Statement of Licensing Policy 2016 - 2021  
Guidance issued under section 182 of the Licensing Act 2003, April 2017  
Licensing Act 2003 (Hearings) Regulations 2005  
Any further documentary submissions by any party to the hearing

## 1. Introduction

- 1.1 On 26/11/2018, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Hetherington's Cafe Bar, 8 Pollard Street, Manchester, M4 7DS in the Ancoats and Beswick 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 CFW Retail Ltd.
- 2.3 The description of the premises by the applicant is – Café bar serving hot and cold drinks and light refreshments.
- 2.4 The proposed designated premises supervisor is Richard Gordon Williams
- 2.5 **The licensable activities applied for:**
- Provision of regulated entertainment (recorded music):  
Mon to Sat 7am to 11pm and Sunday 8am to 10pm
  - The supply of alcohol for consumption both on and off the premises:  
Mon to Sat 10am to 11pm and Sunday 10am to 10pm
  - Opening hours:  
Mon to Sat 7am to 11pm and Sunday 7am to 10pm
- 2.5.1 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.

2.5.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.

## 2.6 **Activities unsuitable for children**

2.6.1 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.

## 2.7 **Steps to promote the licensing objectives**

2.7.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.

2.7.2 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 4 relevant representations were received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

### Responsible Authorities:

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

### Other Persons:

- Residents (x2).

3.2 Summary of the representations:

<b>Party</b>	<b>Grounds of representation</b>	<b>Recommends</b>
<b>GMP</b>	The conditions proposed in the operating schedule are hardly enforceable giving concern to how the 4 licensing objectives will be upheld. This gives the impression that the applicant has limited understanding of the Licensing Objectives, raising concerns about how the premises will be operated.	Refuse
<b>Licensing and Out of Hours Compliance</b>	As above for GMP with particular concern around the public nuisance objective. Failure to offer conditions has led to complete lack of confidence in the ability to manage the premises.	Refuse



<b>Residents (x2)</b>	Both representations are based around concerns of public nuisance from the premises as it's located in a residential area.	N/A
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3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.

#### **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 5: Special Policy Area***

The premises is located within the following special policy area:

Ancoats and New Islington

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

11pm (Sunday to Thursday)

12am midnight (Friday, Saturday)

The special policy applies to on and off sales of alcohol. Where alcohol is sold for consumption on the premises, our policy will be to generally provide 30 minutes 'drinking up' time between the terminal hour for the sale of alcohol and the closing time of the premises.

***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
- Consistency with relevant Council strategies
- 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
- MS3 Responsible promotion and sale of alcohol
- MS5 Prevent on-street consumption of alcohol
- MS8 Prevent noise nuisance from 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
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

## 5. **Conclusion**

- 5.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 5.2 In considering the matter, the Panel should take into account any 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.
- 5.3 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.
- 5.4 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.
- 5.5 All licensing determinations should be considered on the individual merits of the application.
- 5.6 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 5.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 5.8 **The Panel is asked to determine the application.**

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Hetherington's Cafe Bar  
8 Pollard Street, Manchester, M4 7DS

Premises Licensing  
Manchester City Council

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Ordnance Survey 100019568.



**PREMISE NAME:** Hetherington's Cafe Bar

**PREMISE ADDRESS:** 8 Pollard Street, Manchester, M4 7DS

**WARD:** Ancoats and Beswick

**HEARING DATE:** 21/01/2019



**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 CFW RETAIL 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			
8 POLLARD STREET ALBION WORKS MANCHESTER M4 7DS			
<b>Post town</b>	MANCHESTER	<b>Postcode</b>	M4 7DS

Telephone number at premises (if any)	0161 8508554
Non-domestic rateable value of premises	£ 0 (NOT YET RATED)

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as  
Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)

- c) a recognised club  please complete section (B)
- d) a charity  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:**

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- 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 type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

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

**(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	CFW RETAIL LIMITED
Address	512 DARWEN ROAD BOLTON LANCASHIRE BL7 9DX
Registered number (where applicable)	10579322
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY
Telephone number (if any)	
E-mail address (optional)	

When do you want the premises licence to start?

DD	MM	YYYY
0	1	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)

**CAFE BAR SERVING HOT AND COLD DRINKS AND LIGHT REFRESHMENTS**

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 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

- |   |                                     |
|---|-------------------------------------|
| Provision of regulated entertainment  | Please tick any that apply          |
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/>            |
| b) films (if ticking yes, fill in box B)  | <input 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 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"/>            |
| <b><u>Provision of late night refreshment</u></b> (if ticking yes, fill in box I)                           | <input type="checkbox"/>            |
| <b><u>Supply of alcohol</u></b> (if ticking yes, fill in box J)   | <input checked="" type="checkbox"/> |

**In all cases complete boxes K, L and M**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Wed					
Thur			<b>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</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Thur					
Fri			<b><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></b> (please read guidance note 5)		
Sat					
Sun					

## C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			<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 5)
Thur			
Fri			
Sat			
Sun			

## D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				<b><u>Please give further details here</u></b> (please read guidance note 3)	
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><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></b> (please read guidance note 5)		
Sat					
Sun					



## E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 4)		
Wed			<b><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></b> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

## F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	07:00	23:00	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue	07:00	23:00			
Wed	07:00	23:00	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 4)		
Thur	07:00	23:00			
Fri	07:00	23:00	<b><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></b> (please read guidance note 5)		
Sat	07:00	23:00			
Sun	08:00	22:00			

## G

Performances of dance Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Thur					
Fri			<b><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></b> (please read guidance note 5)		
Sat					
Sun					

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Fri					
Sat			<b><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></b> (please read guidance note 5)		
Sun					

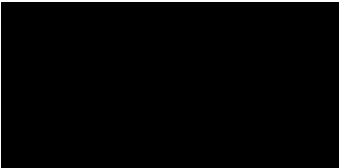



I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>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</u></b> (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	10:00	23:00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)	Both	<input checked="" type="checkbox"/>
Tue	10:00	23:00			
Wed	10:00	23:00			
Thur	10:00	23:00		<b>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</b> (please read guidance note 5)	
Fri	10:00	23:00			
Sat	10:00	23:00			
Sun	10:00	22:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name RICHARD GORDON WILLIAMS	
Address 	
Postcode	
Personal licence number (if known) 	
Issuing licensing authority (if known) 	

**K**

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 8).

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	07:00	23:00	<b>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</b> (please read guidance note 5)
Tue	07:00	23:00	
Wed	07:00	23:00	
Thur	07:00	23:00	
Fri	07:00	23:00	
Sat	07:00	23:00	
Sun	07:00	22:00	

**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 9)**

IN ADDITION TO EXISTING HEALTH AND SAFETY/FIRE SAFETY REQUIREMENTS, ALL STAFF WILL BE TRAINED TO RESPECT ALL FOUR LICENSING OBJECTIVES

**b) The prevention of crime and disorder**

DURING BUSY PERIODS, ADDITIONAL STAFF WILL BE AVAILABLE TO ASSIST IN MONITORING THE BEHAVIOUR OF CUSTOMERS AND THEIR CONSUMPTION OF ALCOHOL.

WE ARE IN A RESIDENTIAL AND RESPECT OUR NEIGHBOURS.

WE WILL OPERATE ZERO TOLERANCE TO DRUG USE.

**c) Public safety**

IN ADDITION TO THE ABOVE, WE WILL CONTACT THE POLICE IF WE BELIEVE ANYONE MAY BE A DANGER TO THEMSELVES OR OTHERS.

ALCOHOL WILL NOT BE SERVED TO ANYONE DISPLAYING DRUNKEN BEHAVIOUR.

**d) The prevention of public nuisance**

AS ABOVE.

**e) The protection of children from harm**

WE WILL OPERATE A CHALLENGE 25 POLICY, PROVIDING A REFUSALS BOOK TO RECORD CHALLENGES BY STAFF.

STAFF TRAINING WILL BE REFRESHED ON A REGULAR BASIS.

TILL PROMPTS WILL REMIND STAFF TO BE VIGILANT.



**Checklist:****Please tick to indicate agreement**

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

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)





**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	HEATHER CHAPMAN
Date	28.10.2018
Capacity	DIRECTOR

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent** (please read guidance note 12). **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 13)

			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
			

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## GREATER MANCHESTER POLICE - REPRESENTATION

About You	
Name	<b>PC Alan Isherwood</b>
Address including postcode	<div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> Manchester Town Hall Extension Lloyd Street Manchester
Contact Email Address	<div style="background-color: black; width: 100%; height: 15px;"></div>
Contact Telephone Number	<div style="background-color: black; width: 100%; height: 15px;"></div>

About the Premises	
Application Reference No.	<b>LPA 222035</b>
Name of the Premises	<b>Hetherington's Café Bar</b>
Address of the premises including postcode	8 Pollard Street, Manchester M4 7DS

Your Representation
<p>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.</p>
<p>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.</p> <p>The operating schedule which accompanies the application offers hardly anything in terms of enforceable conditions which show how the 4 Licensing Objectives will be upheld. It gives the impression that the applicant has a limited understanding of the Licensing Objectives, which raises concerns about how the premises will be operated.</p> <p>We therefore ask that this application is refused.</p>



**MANCHESTER  
CITY COUNCIL**

**Licensing & Out of Hours Compliance Team - Representation**

Name	Lauren Connell
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	[REDACTED], Town Hall Extension, Manchester, M60 2LA
Email Address	[REDACTED]
Telephone Number	[REDACTED]

**Premise Details**

Application Ref No	<b>REF 222035</b>
Name of Premises	Hetherington's Cafe Bar
Address	8 Pollard Street, Manchester, M4 7DS

**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.

Licensing and Out of Hours Compliance Team have assessed the likely impact of the granting of this application taking into account a number of factors, including the nature of the area in which the premises is located and the proximity to the residential accommodation, the hours applied for, and any potential risk that the granting of this application could lead to issues of public nuisance.

This application is for a Cafe/Bar:

The applicant has requested for the supply of alcohol; Monday/Saturday- 10:00 – 23:00 Sunday 10:00-22:00

Recorded music; Monday/Saturday- 7:00am- 23:00 Sunday 7:00-22:00

Hours open to the public; Monday/Saturday- 7:00am- 23:00 Sunday 7:00-22:00

This premises is situated on the ground floor in a large warehouse that has been renovated into residential apartments on Pollard Street. Residential properties are positioned directly above the premises in an area of the city which is expanding rapidly. As a result of the location of the premises it is now subject to the Ancoats and New Islington policy.

We have concerns that the premises could cause a noise problem for the nearby residents due to noise generated by staff using commercial bins when cleaning up, noise from deliveries arriving early morning or late night, noise generated from patrons within the premises itself and upon exiting the premises particularly at night. Other concerns include the management of litter from takeaways bought from the premises and alcohol bottles which then provide the opportunity for patrons to drink on the street. For these

reasons we feel the applicant has not demonstrated how they will uphold the public nuisance licensing objective.

Section M of the licence application requires the applicant to describe any further steps they will take in order to promote the 4 licensing objectives. With regards to the proposed application, the applicant has failed to provide any information with specific reference to the prevention of public nuisance. The term “public nuisance” covers a wide range of minor crimes that threaten the health, morals, safety, comfort, convenience, or welfare of a community. Section 7.1 of Manchester’s Statement of Licensing Policy states “Licensed premises are expected to be an asset to their local area through promotion of the licensing objectives.” Although the applicant has indicated that they have considered the licensing objectives within the application, they have not offered any conditions that can be measured to ensure that these objectives are upheld. The failure of the applicant to provide any conditions, leads to a complete lack of confidence in his/her ability to manage the premises and to ensure the licensing objectives are met. We feel that the applicant has failed to state how they will uphold all licensing objectives, again with particular reference to prevention of public nuisance by stating “As above.”

The failure to propose any conditions to prevent public nuisance causes severe concerns to Licensing and Out Of Hours as the applicants lack of consideration to the local area is apparent. Manchester’s Statement of Licensing Policy states in section 7.5 that “applicants are expected to address any local factors relevant to their premises.” This has not been satisfied in the application and gives rise to concerns over the applicant’s ability to effectively manage the premises. The Licensing and Out of Hours Team in our capacity as the Environmental Health Responsible Authority feel the grant of a licence based on the application submitted would undermine the licensing objectives and request it to be refused.

**Recommendation: Refuse Application**

From: [REDACTED]  
Date: Wed, 19 Dec 2018 at 15:03  
Subject: 222035/LD2 Hetheringtons Cafe Bar  
To: <premises.licensing@manchester.gov.uk>

I am writing to object to the proposed license to sell alcohol on these premises.

Planning permission was granted on the basis of no alcohol and given the location of the premises should not have been granted at all. That will be the subject of a complaint to the ombudsman as soon as the problem is demonstrated which inevitably it will be.

There are residential premises directly above and opposite this proposed bar which will be disturbed by the café and its music which will be a breach of the lease and indeed the rights of the owners to quiet enjoyment of the flat.

Inevitably alcohol will attract smokers and there is simply nowhere for said smokers to go. The café door is directly on to the shared vehicular and pedestrian access to the property which will mean smokers will gather on what is essentially [REDACTED]. This will be particularly bad on football match days.

Let them serve their coffee, demonstrate they can do that quietly then lets consider alcohol.

My details

[REDACTED]

[REDACTED]  
15:01 (10 minutes ago)  
to me

Good afternoon,

I have been made aware that new bar hetheringtons has applied for licence in Ancoats and wished to express concerns. I live [REDACTED]. This means that we already are kept awake through the night due to the windows inability to keep noise out. I am concerned that we will now have to listen to drunken comings and going's until 11pm every night.

Both myself and my partner work for [REDACTED] and are up extremely early, I do not wish to have my sleep disturbed further due to living directly above a licensed premed is.

Though I do not disputed that they should be licensed, the surrounding area is compromised solely of residences and I think the hours should be restricted to respect people's homes.

Kind regards,  
[REDACTED]

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## Schedule of Licence Conditions

<b>Conditions consistent with the operating schedule</b>	<b>Agreed</b>	<b>Proposed by</b>
<ol style="list-style-type: none"> <li>1. During busy periods, additional staff will be available to assist in monitoring the behaviour of customers and their consumption of alcohol.</li> <li>2. We will operate a zero tolerance to drug use.</li> <li>3. We will contact the police if we believe anyone may be a danger to themselves or others</li> <li>4. Alcohol will not be served to anyone displaying drunken behaviour.</li> <li>5. We will operate a Challenge 25 Policy, providing a refusals book to record challenges by staff.</li> <li>6. Till prompts will remind staff to be vigilant.</li> </ol>	N/A	Applicant
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
None	N/A	GMP
None	N/A	Licensing and Out of Hours
None	N/A	Local Residents

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

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 21 January 2019

**Subject:** Elegant Barbers, 10 Greenheys Lane, Manchester, M15 6NQ -  
(App ref: Premises Licence (new)217693)

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

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**Summary**

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

**Recommendations**

That the Panel determine the application.

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**Wards Affected:**

Hulme

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

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

Equal Opportunities Policy  
Risk Management  
Legal Considerations

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Contact Officers:**

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

Name: Helen Howden  
Position: Technical Licensing Officer  
Telephone: 0161 234 4294  
E-mail: Premises.licensing@manchester.gov.uk

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**Background documents (available for public inspection):**

Manchester City Council Statement of Licensing Policy 2016 - 2021  
Guidance issued under section 182 of the Licensing Act 2003, April 2017  
Licensing Act 2003 (Hearings) Regulations 2005  
Any further documentary submissions by any party to the hearing

## 1. Introduction

- 1.1 On 26/11/2018, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Elegant Barbers, 10 Greenheys Lane, Manchester, M15 6NQ in the Hulme ward of Manchester. A location map and photo 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 Lennox Bowers.
- 2.3 The description of the premises by the applicant is "Barber shop"
- 2.4 The proposed designated premises supervisor is Mr Lennox Bowers.

### 2.5 **The licensable activities applied for:**

The supply of alcohol for consumption on the premises only:

Mon to Thurs 9.30am to 7.30pm, Fri and Sat 9.30am to 9.30pm, Sun 9.30am to 3.30pm

Opening hours:

Mon to Thurs 9.30am to 8, Fri and Sat 9.30am to 10pm, Sun 9.30am to 4pm

- 2.5.1 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.
- 2.5.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.

## 2.6 **Activities unsuitable for children**

2.6.1 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.

## 2.7 **Steps to promote the licensing objectives**

2.7.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.

2.7.2 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.

## 3. **Relevant Representations**

3.1 A total of 9 relevant representations were received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

### Responsible Authorities:

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

### Other Persons:

- Hulme Ward Councillors;
- Residents (x4).

3.2 Summary of the representations:

<b>Party</b>	<b>Grounds of representation</b>	<b>Recommends</b>
<b>GMP</b>	The operating schedule which accompanies the application offers very little in terms of enforceable conditions which show how the 4 Licensing Objectives will be upheld. It gives the impression that the applicant has a limited understanding of the Licensing Objectives, which raises concerns about how the premises will be operated.	Refuse
<b>Licensing and Out of Hours Compliance</b>	Concerns are raised regarding the proximity to residential premises, university premises, schools and nurseries. The premises could cause a noise problem for the nearby residents. There are also serious concerns that the premises will become a meeting place for the consumption of alcohol. A previous inspection found alcohol on the	Refuse



	premises.	
<b>Hulme Ward Councillors</b>	Existing incidents of anti-social behaviour and crime in the area will be exacerbated. The premises is inappropriate in a residential area and particularly near schools. Alcohol is already available in the nearby area.	Not specified
<b>Residents (x4)</b>	<p>Res 1: Inappropriate for location, location currently suffers from late night noise. Concerned about re-introducing past problems into the area.</p> <p>Res 2: Existing problems caused by drunk people in the area will be exacerbated.</p> <p>Res3: Will cause disturbance at night for residents</p> <p>Res4: Will exacerbate existing problems of noise and crime. Alcohol already available in area – don't want more outlets. Inappropriate to have alcohol at a place where children are customers.</p>	Not specified

3.3 No conditions have been proposed by objectors and none have been agreed.

#### **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
- Consistency with relevant Council strategies
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Proximity to sensitive uses

### ***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

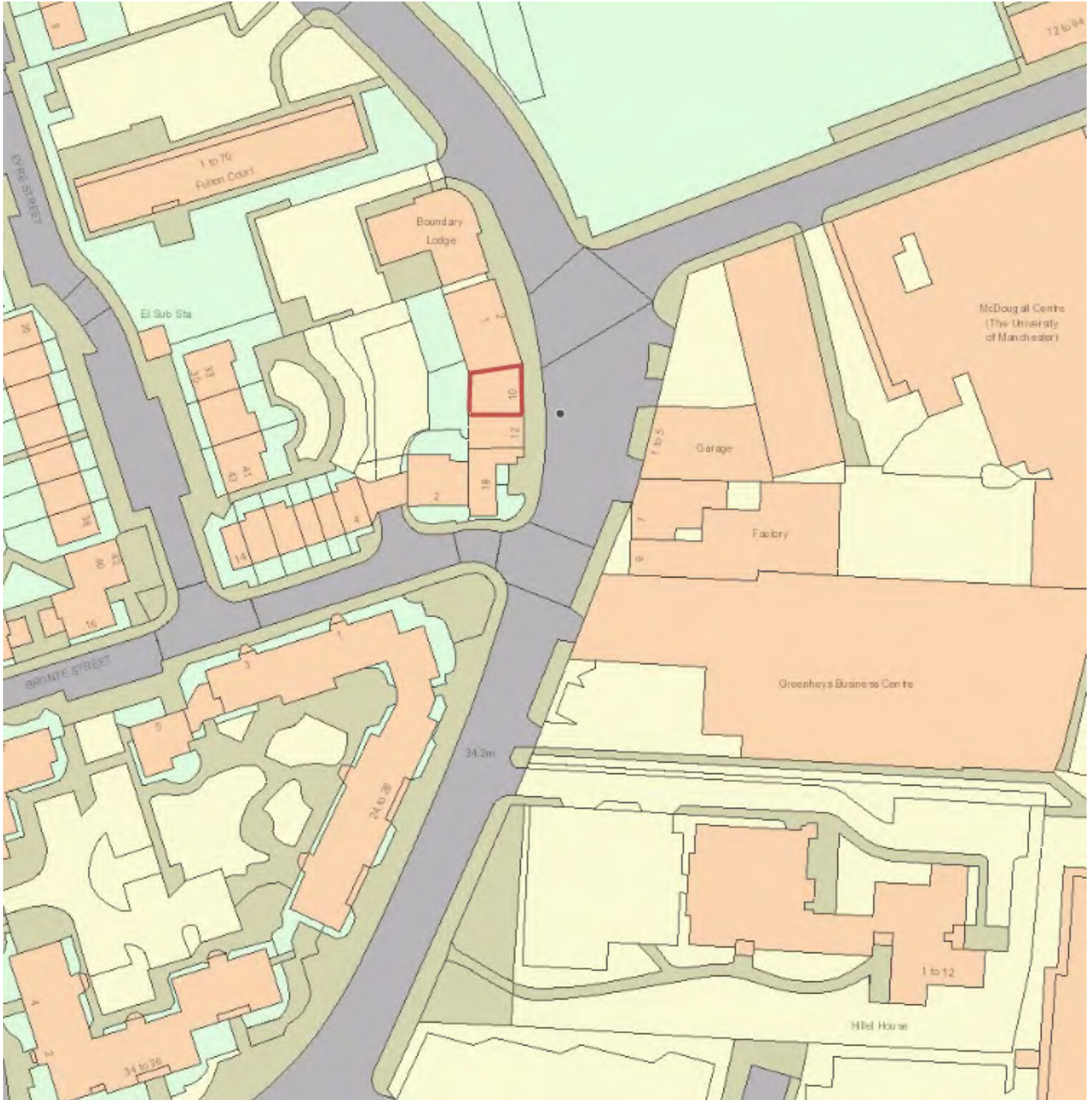
- MS4 Prevent the use of illegal drugs, new psychoactive substances (NPS) and the spiking of drinks at the premises
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS8 Prevent noise nuisance from the premises
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

## 5. **Conclusion**

- 5.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 5.2 In considering the matter, the Panel should take into account any 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.
- 5.3 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.

- 5.4 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.
- 5.5 All licensing determinations should be considered on the individual merits of the application.
- 5.6 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 5.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 5.8 **The Panel is asked to determine the application.**

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Elegant Barbers  
10 Greenheys Lane, Manchester, M15 6NQ



**PREMISE NAME:** Elegant Barbers

**PREMISE ADDRESS:** 10 Greenheys Lane, Manchester, M15 6NQ

**WARD:** Hulme

**HEARING DATE:** 21/01/2019



**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 LENNOX BOWERS  
(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 <b>ELEGANT BARBERS 10 GREENHEYS LANE</b>			
<b>Post town</b>	MANCHESTER	<b>Postcode</b>	M15 6NQ
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£6200.00	

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as      Please tick as appropriate

- |  |                                     |                             |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals *                    | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual *               |                                     |                             |
| i as a limited company/limited liability partnership | <input type="checkbox"/>            | 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
- 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)	
<b>Surname</b> BOWERS			<b>First names</b> LENNOX		
<b>Date of birth</b> [REDACTED]		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes			
<b>Nationality</b> [REDACTED]					
<b>Current residential address if different from premises address</b>		[REDACTED]			
<b>Post town</b>	[REDACTED]	<b>Postcode</b>	[REDACTED]		
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**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)	
<b>Surname</b>			<b>First names</b>		

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

**(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
2	1	12 2018

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

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

Please give a general description of the premises (please read guidance note 1)  
BARBER SHOP.

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)  | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B)  | <input 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 type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input 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**

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption</b> – <b>please tick</b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	09:30	19:30			
Tue	09:30	19:30			
Wed	09:30	19:30			
Thur	09:30	19:30			
Fri	09:30	21:30			
Sat	09:30	21:30			
Sun	09:00	15:30			
			<b>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</b> (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 LENNOX BOWERS	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known)	
Issuing licensing authority (if known)	

□□□□

K

**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 9).**  
 NONE

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	09:30	20:00	<b>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</b> (please read guidance note 6)
Tue	09:30	20:00	
Wed	09:30	20:00	
Thur	09:30	20:00	
Fri	09:30	22:00	
Sat	09:30	22:00	
Sun	09:30	16:00	

**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)**

There is a strong management and security procedures in place which encompasses the four licensing objectives as below. A Challenge 25 policy will be strictly followed by all staff. Staffs are trained as appropriate in respect of relevant licensing law. The open nature of the shop allows for good viewing coverage. Alcohol will only be sold to customers who are awaiting a haircut or is being accompanied by someone having a haircut.

**b) The prevention of crime and disorder**

The Designated Premises Supervisor and their staff will at all times remain aware of their responsibilities for the prevention of crime and disorder on the premises and demonstrate a responsible attitude to the marketing and sale of alcohol  
Any person who appears drunk /aggressive will not be permitted on the premises. A refusals register and a incident log will be maintained and made available to responsible authorities.

**c) Public safety**

Suitable fire extinguishers, and fire exits are maintained. I will fully support any directives received from the authorities. Floor staff will conduct physical sweep inside the premises to remove hazardous objects/waste as deemed necessary by the management. The Designated Premises Supervisor is aware of his responsibilities to the staff and customers in respect of public safety and will take all reasonable steps to ensure the maintenance of all provided safety arrangements and equipment in accordance with the requirements of current installations. No glasses will be used on the premises, drinks will be served in cans, bottles and plastic glasses.

**d) The prevention of public nuisance**

All deliveries will be received during daytime to control noise nuisance. In conjunctions with the steps proposed for the prevention of crime and disorder objectives, the Licensees and staff will at all times remain responsible for the prevention of public nuisance in and around the premises. The Designated Premises Supervisor will arrange to monitor levels from both inside and outside the premises and remedial action will be taken as appropriate.  
Doors and windows will be kept closed as deemed necessary by the Designated Premises Supervisor.



**e) The protection of children from harm**

We recognise the importance of protecting children from harm and this is supported by our commitment to health and safety in the operation and maintenance of the premises and also our approach to managing the risk of underage drinking.

The Designated Premises Supervisor and staff will at all times remain aware of their responsibilities under the objective, including that alcohol shall not be sold to anyone under the age of 18. Staff on duty will be trained and made aware of a challenge 25 policy and the requirements and the need to demand an acceptable form of age id. A refusals register will be maintained. No adult entertainment is permitted at these premises

**Checklist:**

Please tick to indicate agreement

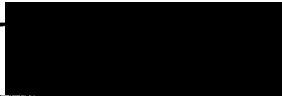
- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- 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).

**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.**





<b>Declaration</b>	<ul style="list-style-type: none"> <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 licensable 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	
Date	23/11/2018
Capacity	Agent

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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)



Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
			

#### Notes for Guidance

- 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.
- In terms of specific regulated entertainments please note that:

# GREATER MANCHESTER POLICE - REPRESENTATION

## About You

Name	<b>PC Alan Isherwood</b>
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.	<b>LPA 217693</b>
Name of the Premises	<b>Elegant Barbers</b>
Address of the premises including postcode	10 Greenheys Lane, Manchester M15 6NQ

## 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 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 operating schedule which accompanies the application offers very little in terms of enforceable conditions which show how the 4 Licensing Objectives will be upheld.  
It gives the impression that the applicant has a limited understanding of the Licensing Objectives, which raises concerns about how the premises will be operated.

We therefore ask that this application is refused.



**MANCHESTER  
CITY COUNCIL**

**Licensing & Out of Hours Compliance Team - Representation**

Name	Devon Bennett
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	devon.bennett@manchester.gov.uk
Telephone Number	0161 234 1220

<b>Premise Details</b>	
Application Ref No	217693
Name of Premises	Lennox Barbers
Address	10 Greenheys Lane, Manchester, M15 6NQ

<b>Representation</b>
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>The Licensing and Out of Hours team have assessed the likely impact of the late night premises opening of Elegant Barbers, 10 Greenheys Lane, Manchester, M15 6NQ taking into account a number of factors. These include the location of nearby residential properties, the proximity to similar businesses, the hours applied for and any potential risk that the granting of this licence, could lead to issues that could rise to Public Nuisance.</p> <p>The supply of alcohol for consumption on the premises only: Mon to Thurs 9.30am to 7.30pm, Fri and Sat 9.30am to 9.30pm, Sun 9.30am to 3.30pm. Opening hours: Mon to Thurs 9.30am to 8, Fri and Sat 9.30am to 10pm, Sun 9.30am to 4pm.</p> <p>The premises is on Greenheys Lane and is part of a residential area within the Hulme ward, it is also on a main road linking Princess Parkway to the neighbourhoods in Hulme. Close by to the premises are residential buildings, situated directly above are flats, to the sides are student accommodation and social housing, with further houses facing the premises. The area is undergoing constant regeneration for student accommodation and university buildings. The area also has industrial units including Manchester science park and local schools. The Licensing and Out of Hours team have concerns that the premises could cause a noise problem for the nearby residents due to noise generated by music and other entertainment inside the premises, staff using commercial bins when clearing up, noise generated from patrons within the property itself and upon leaving the premises at night. Although regulated entertainment has not been applied for, on inspection speakers were found to be installed in the premises. This gives further concerns of noise emanating from the premises, giving rise to a nuisance at the nearest residential property. Alcohol containers were also littering the streets.</p>



Section 7.36 States that premises applying for early morning day time hours to sell alcohol will be given particular consideration into their proximity to schools, play areas, nurseries, children's centres and other youth amenities, as well as groups, such as persons who are alcohol-dependant. In this case the premises is located in a family residential area with 7 schools and 5 nurseries within a 1.5 mile radius. The schools include both primary and secondary so a large range of ages will be in close proximity to the premises during the day, potentially exposing themselves to alcohol and/or others who are intoxicated from the on sale of alcohol.

Officers visited the premises on 7<sup>th</sup> December 2018 at 13:00. On entering the premises people were sat on couches lounging and talking. The applicant was cutting hair. We asked to speak to the applicant and he guided us to a room at the rear of the shop. Inside the room were 3 bottles of beer, shots of Café Patron tequila, a bottle of high strength rum and 2 bottles of baileys. Officers asked the applicant why he had the alcohol on the premises and he replied that it was for personal consumption. Officers found this confusing considering the applicant lives in Bury, and that he stated in his application that he will be responsible for assessing risks and hazards. Officers then confronted the applicant about information passed to us regarding people already using the premises to socialise and drink alcohol, including high strength spirits. The applicant told us that he wants his licence so he can sell the alcohol because at the moment people walk into his shop with alcohol already, and so he may as well sell it. Officers advised the applicant that he does not have to allow intoxicated people into his premises and that he can refuse them access. The applicant's response to this was somewhat confused as he stated he felt his hands were tied. This cause's immense concern to the Licensing and Out of Hours team, as the applicant is admitting to being unable to manage customers in his premises at present, so would be unlikely to be able to manage intoxicated customers and ensure that the licensing objectives are upheld.

Section M of the application also requires the applicant to describe any additional steps in order to promote the licensing objectives as a result of the proposed application, the applicant has included some information to support the public nuisance objective. However, the applicant has addressed the section of noise emanating from the premises with a condition that

'The designated premises supervisor will arrange to monitor noise levels from both inside and outside the premises and remedial action will be taken as appropriate'.

This condition offered by the applicant would suggest that the premises expects to play some form of music and/or believes that the level of noise in the premises could be loud. We believe that it is worth noting that the applicant does not need a licence for regulated entertainment as it is de-regulated, however, it is difficult to believe that loud-music would emanate from a barber shop as if it were a bar.

On the balance of probabilities the Licensing and Out of Hours team believe this premises will be used as a social venue for drinking, and will lose its primary focus of being a barber shop. This gives rise to concern that the consumption of alcohol will increase to a level that would not be considered appropriate for this type of establishment, and will not just be ancillary to a haircut.

Taking all of the above into consideration the Licensing and Out of Hours team have serious concerns that the premises will be able to run successfully as a barber shop as its main business, and will instead become a meeting place for the consumption of alcohol. The Licensing and Out of Hours team therefore ask for the application to be refused.

Recommendation: Refuse Application

From: Councillor Lee-Ann Igbon <cllr.l.igbon@manchester.gov.uk>  
Date: Wed, 28 Nov 2018 at 11:42  
Subject: Fwd: license objection 217693/HH1  
To: Premises Licensing <premises.licensing@manchester.gov.uk>

Please find enclosed objection for a license

Kind Regards

Cllr Lee-Ann Igbon  
Labour Member for Hulme Ward  
Chair of Neighbourhoods & Environment Scrutiny  
Town Hall  
Manchester  
M60 2LA  
0161 234 3235  
07908759042  
cllr.l.igbon@manchester.gov.uk

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

From: Councillor Lee-Ann Igbon <cllr.l.igbon@manchester.gov.uk>  
Date: Mon, 26 Nov 2018, 18:18  
Subject: license objection 217693/HH1  
To: Premises Licensing <premises.licensing@manchester.gov.uk>  
Cc: Councillor Annette Wright <cllr.annette.wright@manchester.gov.uk>, Nigel <cllr.n.murphy@manchester.gov.uk>

Hi

I fully object to this application for the following reasons

1. There is a shop on that road selling alcohol and asda is in close proximity.
2. There has been increased asb and crime in this area by local residents within Hulme, at present the ward is in the top 11 in the city for asb crime.
3. Both students and residents are victims and this only offers another option to criminals.
4. Selling alcohol at this time in a residential area and near a school doesnt promote the area to have a healthier life style.
5. That alcohol needs to be served in a barbers is very strange, having adults drinking around children especially those from the school is not good. Also a barbers that sells alcohol on Great Western Street Moss Side has seen violent acts, asb in and outside, fighting and drugs dealing at the premises.

I hope this is taken into consideration as it will not add to the ward but cause more issues.

kind regards

Cllr Lee-Ann Igbon  
Labour Member for Hulme Ward  
Chair of Neighbourhoods & Environment Scrutiny  
Town Hall  
Manchester  
M60 2LA  
0161 234 3235  
07908759042 [cllr.l.igbon@manchester.gov.uk](mailto:cllr.l.igbon@manchester.gov.uk)



From: **Councillor Annette Wright** <[cllr.annette.wright@manchester.gov.uk](mailto:cllr.annette.wright@manchester.gov.uk)>  
Date: Tue, 27 Nov 2018 at 20:52  
Subject: Re: license objection 217693/HH1  
To: Nigel <[cllr.n.murphy@manchester.gov.uk](mailto:cllr.n.murphy@manchester.gov.uk)>  
Cc: Premises Licensing <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>, Councillor Lee-Ann Igbon <[Cllr.I.igbon@manchester.gov.uk](mailto:Cllr.I.igbon@manchester.gov.uk)>

Hi all

I also agree.

Kind regards

Councillor Annette Wright  
Labour Party Councillor for Hulme Ward  
C/o Member Services  
Manchester Town Hall  
Manchester  
M60 2LA  
07966 296296

On Tue, 27 Nov 2018, 15:12 Councillor Nigel Murphy <[cllr.n.murphy@manchester.gov.uk](mailto:cllr.n.murphy@manchester.gov.uk)> wrote:

Dear Helen

Further to the email below.

Councillor Nigel Murphy agree's with the points Councillor Lee-Ann Igbon has raised.

Regards

Teresa

Cllr Nigel Murphy  
Deputy Leader, Manchester City Council  
Labour Member for Hulme Ward  
Executive Members Office, Manchester City Council, Level 4, Town Hall Extension,  
Manchester, M60 2LA

[REDACTED]  
Date: Wed, 19 Dec 2018 at 17:29  
Subject: 10 Greenheys Lane, M15, (Barbers Shop)  
To: <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>

Granting of a late night drinks license at this address would be highly disruptive to the peace of our local neighbourhood

It is completely inappropriate and should not be allowed.

There is already enough late night noise along Greenheys Lane: car doors slamming, drunken people passing by shouting, sometimes fighting. We even had a shooting at the Salmon Taxis take-away about 10 years ago, in the bad old days.

Greenheys Lane was a known hot spot for muggings and late night trouble 20 years ago. but the police have mostly got it under control..

The shop units at this location, built in 1994, were intended for local small businesses to serve a local residential community. Things like a barbers shop, or a chip shop.. Is a barbers shop not enough of a livelihood?

We don't need another version of the old Nile Club down the road, What about the poor person who rents the flat above it?

[REDACTED]

From: [REDACTED]

Date: Thu, 20 Dec 2018 at 08:16

Subject: Objection to granting of Licensing

To: premises.licensing@manchester.gov.uk  
<premises.licensing@manchester.gov.uk>

Dear sir

I am a resident [REDACTED]

I have seen a application for granting a license at Elegant barbers, 10 Greenheys lane Manchester M15 6BE

I and other residents object because we already have enough problems caused by drunken people in Greenheys..we try to live peacefully in our flats and don't want to increase problems cause by people having too much drink and the noise it could cause if there was a license premises along there

Thanks

[REDACTED]

From: [REDACTED]

Date: Wed, 19 Dec 2018 at 20:00

Subject: 10 greenheys lane

To: premises.licensing@manchester.gov.uk  
<premises.licensing@manchester.gov.uk>

A license should not be granted as these are meant as domestic use premises not for bars as the disturbance at night would not be good for local residents

[REDACTED]  
[REDACTED]  
[REDACTED]

Sent from Yahoo Mail on Android

From: [REDACTED]

Date: Mon, 24 Dec 2018 at 23:19

Subject:

To: [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk) <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>

APPEAL AGAINST NOTICE OF APPLICATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003

NAME OF APPLICANT: LENNOX BOWERS

ADDRESS OF PREMISES: ELEGANT BARBERS 10 GREENHAYS LANE HULME MANCHESTER M156NQ

SALE OF ALCOHOL

I WOULD LIKE TO OBJECT AGAINST HAVING A LIQUIR LICENCE AT THIS ADDRESS ABOVE.

REASONS BECAUSE:

1. CHILDREN GO TO GET HAIR CUT
2. ALREADY HAS BEEN SELLING ALCOHOL WITHOUT LICENCE FOR PAST 4-5 YEARS
3. THE OWNER IS NOT FIT PERSON TO HOLD THE LICENCE BECAUSE HE HAS ALREADY BROKEN THE LAW
4. THERE IS MORE THAN 20 LICENCE PLACES WITHIN LESS THAN 1 MILE RADIUS FROM HERE
5. WE DONT WANT THIS TO BE A MOSTON ALLEY.
6. THERE WILL BE A BIG BURDEN ON THE POLICE BECAUSE THEIR SERVICE HAS BEEN CUT BACK DRASTICALLY
7. IT IS NOT NORMAL TO TAKE YOUR CHILDREN TO THE BARBERS AND HAVE ALCOHOL, THIS INCREASES BAD HABBITS TO CHILDREN.
8. THIS BARBER SHOP STAYS OPEN PAST MIDNIGHT.
9. THIS WILL INCREASE THE CRIME RATE AROUND THE AREA
10. THERE ARE FAMILY RESIDENTIALS LIVING DIRECTLY ABOVE THE SHOP WHICH WILL BE DISTURBED
11. SHOP IS ALREADY RUN LIKE A CLUB WITH LOUD MUSIC RUN ALL DAY ALL NIGHT
12. ALREADY SELLING BODY BUILDING DRUGS WITHOUT LICENCE
13. GONE AGAINST LANDLORD TENANCY AGREEMENT AS IT STATES HE CAN ONLY RUN IT AS A BARBERS.
14. HE CAN DISPLAY AND SELL HAIR PRODUCTS NOT LIQUIR ALCOHOL OR BODY BUILDING DRUGS AND OTHER UNSOCIAL PRODUCTS.
15. the committee must ask them self already he has broken the licensing law by selling alcohol on an unlicensed premises.
16. he is not a fit person for this.

I HOPE YOU TAKE INTO ACCOUNT MY REASONS AND MAKE A GOOD AND RIGHT DECISION.

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

Document is Restricted

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## Licensing Act 2003 (Hearings) Regulations 2005

**Reference:** 224220  
**Name:** Terrace  
**Address:** 43 Thomas Street, Manchester, M4 1NA  
**Ward:** Piccadilly  
**Application Type:** Premises Licence variation  
**Name of Applicant:** Defaqto Leisure Limited  
**Date of application:** 05/12/2018

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

#### Proposed hours and licensable activities / summary of application:

The purpose of the application is to allow the premises to open and permit the sale of alcohol at the premises from 09:00 daily. No other changes are requested

#### Supply of alcohol for consumption on the premises only:

Current hours: Mon and Tues 11am to 1am, Weds and Thurs 11am to 2am, Fri and Sat 11am to 3am, Sun 11am to 2am

Proposed hours: Mon and Tues 9am to 1am, Weds and Thurs 9am to 2am, Fri and Sat 9am to 3am, Sun 9am to 2am

#### Opening hours:

Current hours: Mon and Tues 11am to 1.30am, Weds and Thurs 11am to 2.30am, Fri and Sat 11am to 3.30am, Sun 11am to 2.30am

Proposed hours: Mon and Tues 9am to 1.30am, Weds and Thurs 9am to 2.30am, Fri and Sat 9am to 3.30am, Sun 9am to 2.30am

### Representations received

Licensing & Out of Hours Compliance	Licensing and Out of Hours have concerns regarding the provision of alcohol from 0900 as this could contribute to problems in respect of alcohol abuse and excessive drinking which increases the potential risk for public nuisance and instances of alcohol related anti-social behaviour to occur.
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**Agreements between parties****Licensing & Out of Hours Compliance:**

The supply of alcohol, from 0900 – 1100, shall only be to a person seated taking a table meal there and for the consumption by such persons as ancillary to their meal.

**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:** 223554  
**Name:** Shell Kingsburn  
**Address:** Kingsburn Self Serve Petrol Fi, Kingsway,  
 Manchester, M19 1RD  
**Ward:** Burnage  
**Application Type:** Premises Licence (new)  
**Name of Applicant:** Shell UK Oil Products Ltd  
**Date of application:** 26/11/2018

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.

<b>Proposed licensable activities and opening hours to be granted</b>
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Provision of late night refreshment: Mon to Sun 11pm to 5am
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The supply of alcohol for consumption off the premises only: Mon to Sun 24 hours
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Opening hours: Mon to Sun 24 hours
---------------------------------------

<b>Representations received</b>	
---------------------------------	--

Licensing & Out of Hours Compliance	Grounds for objection – public safety and the prevention of crime and disorder
--	---

**Agreements between parties****Licensing & Out of Hours Compliance:**

1. Between the hours 23.00 and 05:00 hours each day the premise shall operate a close door policy with all service taking place through a night hatch.
2. Prominent, clear and legible notices shall be displayed asking customers to respect the needs of local residents and to leave the area quietly.

**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:** 223856  
**Name:** Everyman Cinema  
**Address:** Unit 1, ABC Building, Astley House, 23 Quay Street, Manchester, M3 4AS  
**Ward:** Deansgate  
**Application Type:** Premises Licence (new)  
**Name of Applicant:** Everyman Media Limited  
**Date of application:** 28/11/2018

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, live music, recorded music, performances of dance and anything of a similar description to live music, recorded music or performances of dance):

Mon to Sun 10am to 2am

Provision of late night refreshment:

Mon to Sun 11pm to 2.30am

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

Mon to Sun 10am to 2am

Opening hours:

Mon to Sun 10am to 2.30am

### Representations received

Licensing & Out of Hours  
Compliance

Public Nuisance  
Public Safety  
The Protection of Children From Harm

## **Agreements between parties**

### **Licensing & Out of Hours Compliance:**

- SIA registered door staff shall be employed at the premises in accordance with a risk assessment, to be carried out by the DPS. As part of the risk assessment, consideration shall be given to any 'event films; which may require an SIA presence. When employed, door staff shall wear high visibility armbands.
- Staff shall be trained in the requirements of the Licensing Act 2003 with regard to the licensing objectives, the laws relating to underage sales and the laws relating to the sale of alcohol to intoxicated persons, the safe evacuation of patrons, conflict management in respect of refusals, proxy sales and child welfare concerns, and that training shall be documented and repeated at 6 monthly intervals.
- A refusals book shall be maintained and made available to the Licensing Authority or GMP in manual or electronic form for inspection. Records shall be kept for a minimum of 6 months. The log shall record the date, time and reason for refusal and the member of staff refusing.
- Staff shall ensure that the premises are checked daily before opening to the public and logs of these checks kept for 6 months.

### **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



**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)  
ACT 1982**

**Reference:** 224129/AM2  
**Name:** Obsessions  
**Address:** 2b Whitworth Street West Manchester M1 5WZ  
**Ward:** Deansgate

**Hearing Date: 21/01/2019**

**Application Type:** Renewal of a Sexual Entertainment Venue  
**Name of Applicant:** Primehill Properties Limited  
**Date of application:** 03/12/2018

**Objections Received against the Application**

No objections received

## 1. Introduction

- 1.1 The Local Government (Miscellaneous Provisions) Act 1982 provides the legislative framework in relation to the licensing of sex establishments. Section 27 of the Policing and Crime Act 2009 introduced a new category of sex establishment called a 'sexual entertainment venue', which allow local authorities to regulate lap dancing clubs and similar venues under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. The new powers were adopted by the Council with effect from 9 January 2011.

### **Sexual Entertainment Venues and Relevant Entertainment**

- 1.2 A sexual entertainment venue is defined as:

“A premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or entertainer unless an exemption applies.”

- 1.3 There are 2 categories of 'relevant entertainment':

- live performances, and
- live displays of nudity.

- 1.4 In each case, the entertainment must be of such a nature that, ignoring financial gain, it must be reasonably assumed to be provided solely or principally for the purposes of sexually stimulating any member of the audience whether by verbal or other means. An audience can consist of just one person e.g. private shows.

## 2. Application

- 2.1 This is an application for a renewal of a Sex Establishment Licence for Obsessions 2b Whitworth Street West Manchester M1 5WZ to enable the premises to operate as a Sexual Entertainment Venue.
- 2.2 The application is to allow lap dancing, pole dancing and stage shows; all including full nudity, at the premises. The application is also to allow full contact between performers and customers.
- 2.3 A copy of the application is provided at Annex 1. However, personal and commercially sensitive information has been redacted. This information will be provided by way of a separate bundle and may be considered by the Committee at the hearing under Part B.
- 2.4 The premises is currently operating as a lap dancing premises and is licensed under the Licensing Act 2003 (Annex 2).

## 3. Objections received against the Application

- 3.1 Any person can object to an application but the objection should be relevant to the grounds set out in paragraph 12 of Schedule 3 of the Act for refusing a licence as set out in Section 4 of the report.



- 3.2 Objections should not be based on moral grounds/values and objections that are not relevant to the grounds set out in paragraph 12 should not be considered.
- 3.3 Although the council is under a duty to consider any objections made within 28 days of the application, it has discretion to hear later objections provided the applicant is given the opportunity to deal with those objections.
- 3.4 The council shall not without the consent of the person making the objection reveal their name or address to the applicant.
- 3.5 No objections have been received against this application.

## **4. Mandatory and Discretionary Grounds for Refusal of a Licence**

- 4.1 Paragraph 12 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 sets out the grounds for refusing an application for the grant, renewal or transfer of a licence. A decision to refuse a licence must be relevant to one or more of the below grounds.

### **Mandatory Grounds**

- 4.2 A licence must not be granted:
  - a) to a person under the age of 18;
  - b) to a person who is for the time being disqualified due to the person having had a previous licence revoked in the area of the appropriate authority within the last 12 months;
  - c) to a person, other than a body corporate, who is not resident in an EEA state or was not so resident throughout the period of six months immediately preceding the date when the application was made; or
  - d) to a body corporate which is not incorporated in an EEA state; or
  - e) to a person who has, within a period of 12 months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.
- 4.3 None of the above mandatory grounds for refusal are met in respect of this application.

### **Discretionary**

- 4.4 A licence may be refused where:
  - a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;

- b) if the licence were to be granted, renewed, or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;
- c) the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that locality;
- d) that the grant or renewal of the licence would be inappropriate having regard -
  - i) to the character of the relevant locality; or
  - ii) to the use to which any premises in the vicinity are put; or
  - iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

4.5 Applications should only be refused where the Council considers it as necessary and proportionate to do so, and any decision shall be on a non-discriminatory basis.

### **Human Rights Act**

4.6 When determining a licence application Manchester City Council will have regard to any rights the applicant may have under Article 10 (right to freedom of expression) and Article 1, Protocol 1 (protection of property) of the European Convention on Human Rights.

4.7 Article 1 of Protocol 1 of the European Convention of Human Rights states:

“Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.”

4.8 A licence is a possession.

4.9 When considering matters relating to the grant, revocation, renewal or refusal of licences and the placing of conditions on licences, the Committee must consider whether the decision affects an individual, group or company’s Human Rights as set out in the Convention and if it does, whether the interference with those rights is permissible by reason of the justifications set out in the Convention. In addition consideration must be given to whether the interference is proportionate to the general purpose.

## 5. Applicant Considerations

- 5.1 The Council needs to be satisfied that the applicants for a sex establishment licence are suitable to operate the business by ensuring:
- a) that the operator is honest;
  - b) that the operator is qualified by experience to run the type of sex establishment in question;
  - c) that the operator understands the general conditions;
  - d) that the operator is proposing a management structure which will deliver compliance with operating conditions e.g. though:
    - i) managerial competence;
    - ii) attendance at the premises;
    - iii) a credible management structure;
    - iv) enforcement of rules internally, e.g. through training and monitoring
    - v) a viable business plan, e.g. sufficient to employ door staff and install CCTV;
    - vi) policies for the welfare of performers (SEV only).
  - e) that the operator can be relied upon to act in the best interests of the performers, e.g. in how they are remunerated, the facilities they enjoy, how they are protected and how and by whom their physical and psychological welfare is monitored (SEV only);
  - f) that the operator can be relied upon to protect the public, e.g. transparent charging, freedom from solicitation;
  - g) that the operator can show a track record of management of compliant premises, or that s/he will employ individuals who will have such a track record;
- 5.2 All applications will be considered but they are unlikely to be granted if the following apply:
- a) the applicant has a criminal record. Offences that would be considered particularly relevant include:
    - convictions for dishonesty
    - violence
    - sexual offences
    - drugs
    - public order

- people trafficking
- b) the applicant has previously been involved in running an unlicensed sex establishment;
  - c) if the licence were to be granted, the business to which it relates would be managed by or run for the benefit of a person other than the applicant who would be refused the grant of such a licence if they made it themselves.
- 5.3 It is anticipated that these expectations would be demonstrated by the operator through their completed application form and any accompanying submissions as part of the application process. However, the Council may also take into account any oral submissions made at any hearing to determine the application.

## 6. Location Considerations

- 6.1 A licence can be refused if either, at the time the application, it is determined that the number of sex establishments, or sex establishments of a particular kind, in the relevant locality is equal to or exceeds the number that the authority considers appropriate for that locality; or that a sex establishment would be inappropriate having regard to the character of the relevant locality, the use to which any premises in the vicinity are put or the layout, character or condition of the premises.
- 6.2 Manchester City Council's Policy for Sex Establishments states that that areas located outside the City Centre, as defined by the Planning Department's definition of the City Centre, are not appropriate locations for sex establishments. Therefore, the policy is that the appropriate number for sex establishments outside of the City Centre is nil.
- 6.3 Within the City Centre, an appropriate number for sex establishments has not been set. Applications will be determined as they arise.
- 6.4 Sex establishments will not normally be licensed near to:
- a) housing;
  - b) schools, play areas, nurseries or children's centres;
  - c) family shopping or leisure areas;
  - d) places of worship;
  - e) historic buildings or tourist attractions;
  - f) other places where relevant entertainment takes place;
  - g) other sensitive uses that may be relevant e.g. women's hostel;

where the proximity to such uses is likely to be considered by the Council to be inappropriate in having regard to the character of the relevant locality and the use to which any premises in the vicinity are put.

- 6.5 The spatial distribution of licensed premises is very relevant particularly with consideration to their impact upon the character of the locality. The Council will have regard to the uses of all other premises in the area as well as any potential adverse impact upon:
- a) regeneration;
  - b) tourism;
  - c) the retail or commercial attraction of the area;
  - d) social issues e.g. prostitution, anti-social behaviour.
- 6.6 Within the city centre no licences shall be granted for premises within the following locations:
- a) parks or external areas/squares that attract large numbers of children such as, but not limited to, Castlefield Arena, Piccadilly Gardens, Albert Square, St Anne's Square, Exchange Square;
  - b) entertainment centres which have children/family focussed entertainment;
  - c) community buildings such as, but not limited to, places of worship, libraries, GPs surgeries;
  - d) the area (framed by Deansgate to the west; Peter Street, Mount Street and Lower Mosley Street to the north; Portland Street, Oxford Street and Lower Mosley Street to the east; and Whitworth Street West to the south) as set out in Appendix A of the Council's Policy for Sex Establishments;
  - e) where further sex oriented uses would change the character of an area;
  - f) where further sex oriented uses would deter people from using the area comfortably/at all;
  - g) where further sex oriented uses raises the fear of crime in the locality; or where such locations form part of the relevant locality.
- 6.7 The decision regarding what constitutes the 'relevant locality' is a matter for the Committee. However, such questions must be decided on the facts of the individual application.
- 6.8 The Council may also have regard to the following factors:
- a) access routes to schools, play areas, nurseries or children's centres or other uses normally attended by children;
  - b) any existing licensing permissions for the premises;
  - c) the proximity of other licensed premises in the surrounding area and the terms of those licences;
  - d) the Planning permission for the premises and surrounding uses;

- e) any existing Planning or Regeneration policy/plan/strategy relevant to the area;
- f) history of complaints relevant to the premises;
- g) the nature of the daytime and night-time economies in the surrounding area.

6.9 This premises is located within the City Centre (see 6.3).

6.10 This premises is not located within the area set out in 6.6 (d) above.

## **7. Licence Conditions**

7.1 The Council has adopted standard conditions in respect of sexual entertainment venues, which will apply to all respective licences granted, unless such conditions have been expressly excluded or varied. These proposed standard conditions will be provided separately to the report.

7.2 However, following a hearing, the Licensing and Appeals Committee may attach such further conditions to a licence as are considered necessary and proportionate in the public interest including, but not limited to, the interest of public policy, public security, public health or the protection of the environment. This could include conditions restricting the opening and closing times of the premises.

7.3 The applicant has not requested any variations to the standard conditions.

## **8. Conclusion**

8.1 In determining an application for a sex establishment licence, any decision to refuse an application may only be made in accordance with the mandatory and discretionary grounds for refusal as set out in Section 4 of the report.

8.2 None of the mandatory grounds have been met in respect of this application.

8.3 The discretionary grounds are set out in full at 4.4.

8.4 The decision regarding what constitutes the 'relevant locality' is a matter for the Committee. However, such questions must be decided on the facts of the individual application.

8.5 When considering a particular application case law has indicated that the relevant locality does not have to be a clearly pre-defined area nor are local authorities required to be able to define its precise boundaries. Therefore, while a local authority is not prevented from defining the exact area of the relevant locality, it is equally free to conclude that it simply refers to the area which surrounds the premises specified in the application and does not require further definition. Nevertheless a local authority's view of what constitutes a locality could be open to challenge if they took a completely unreasonable view of the area covered. Case law also indicates that a relevant locality cannot be an entire local authority area or an entire town or city.

- 8.6 Once the Committee has determined the relevant locality, it should seek to make an assessment of the 'character' of the relevant locality and whether it considers any sex establishments, or sex establishment of a particular kind, are appropriate for that relevant locality.
- 8.7 When considering the application, the Committee must have regard to:
- the Council's Policy for Sex Establishments;
  - information submitted as part of the application;
  - any observations submitted to it by the chief officer of police;
  - any objections received from anyone else within 28 days of the application
- 8.8 Members may also take into account any oral submissions made at any hearing to determine the application. Additionally, the Committee may have regard to any objections received after 28 days of the application.
- 8.9 Applications should only be refused where the Council considers it as necessary and proportionate to do so, and any decision shall be on a non-discriminatory basis.
- 8.10 Where the Committee has decided to grant a licence, it may impose terms, conditions and restrictions on that licence, either in the form of conditions specific to the individual licence under paragraph 8 of Schedule 3 or standard conditions made by the Council under paragraph 13 of Schedule 3.
- 8.11 The Council has adopted Standard Conditions applicable to Sexual Entertainment Venues.
- 8.12 Any licence granted shall be subject to those Standard Conditions, save for where they have been expressly excluded or varied by the Committee.

## **9. Annexes**

Annex 1 - Application

Annex 2 – Current premises licence under the Licensing Act 2003 for Obsessions 2b Whitworth Street West M1 5WZ

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**MANCHESTER  
CITY COUNCIL**

**Premises Licensing Team**

Telephone: +44 (0)161 234 5004  
 premises.licensing@manchester.gov.uk  
 Level 1 Town Hall Extension, Albert  
 Square, PO Box 532, M60 2LA

**Application for Renewal of a Sex Establishment Licence pursuant to  
 Schedule 3, Local Government (Miscellaneous Provisions) Act 1982**

This form should be completed and forwarded to the Manchester City Council Premises Licensing Team at the above address with the required fee. Cheques, etc. should be made payable to the Manchester City Council. Payment may also be made by credit or debit card upon request.

**Important Notes**

1. All questions must be answered, save where otherwise stated. If relevant questions are not answered, the application will be deemed incomplete and returned to the Applicant.
2. Any person who, in connection with an application for a grant, renewal or transfer of a sex establishment licence makes a false statement which he knows to be false in any material respect of which he does not believe to be true is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000.

---

**Part 1 – Premises Details**

I/We Primehill Properties Limited  
*(Insert name(s) of applicant)*

apply for the Renewal of a Sex Establishment Licence as described below.

**1. This renewal application is for a:**

Sex Shop

Sex Cinema

Sexual Entertainment Venue

<b>Please state the Licence Number of the Sex Establishment premises to be renewed</b>	137513
--	--------

<b>Name and Postal address of premises</b>			
Obsessions 2b Whitworth Street West			
<b>Post town</b>	Manchester	<b>Post code</b>	M1 5WZ
<b>Telephone number</b>			

## Part 2 – The Applicant

### 2. Please state whether you are applying for a renewal as:

- a) an individual  please complete section (A)
- b) a company or other corporate body  please complete section (B)
- c) a partnership or other unincorporated body  please complete section (C)

### (A) INDIVIDUAL APPLICANT (fill in as applicable)

You must complete and submit the form at Annex A for the individual named in this section

	Annex A completed?
<b>Full Name of Applicant</b>	<input type="checkbox"/>

<b>Former name (if applicable)<sup>1</sup></b>	
--	--

<sup>1</sup> If the Applicant has been formerly known by a different name, please provide details

### (B) A COMPANY OR OTHER CORPORATE BODY

You must complete and submit the form at Annex A for all individuals named in this section

<b>Applicant Name<sup>1</sup></b>	Primehill Properties Limited
<b>Address</b>	Unit 2 275 Deansgate Manchester M3 4EL
<b>Registered number<sup>2</sup></b>	08087746
<b>Telephone number</b>	0161 238 9019
<b>E-mail address</b>	
<b>Previous Name (if applicable)<sup>3</sup></b>	

<sup>1</sup> If your business is registered, use its registered name

<sup>2</sup> If business is not registered, put "none"

<sup>3</sup> If the Applicant has been formerly known by a different name, please provide details

<b>Please state the names of:</b> <b>(i) the Applicant's Directors;</b> <b>(ii) Company Secretary;</b> <b>(iii) any other persons responsible for the management of the Applicant; and</b> <b>(iv) any persons with a shareholding of greater than 10% in the Applicant</b>		
<u>Position</u>	<u>Name of Individual</u>	Annex A completed?
Director	Liam SCULLY	<input checked="" type="checkbox"/>
Director	Leslie O'NEILL	<input checked="" type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

<b>Is the applicant a wholly owned subsidiary of another company or corporate body? If so state the name, place of registration and identity of its Directors and Company Secretary</b>		
Name		
Place of registration		
<b>Names of Directors and Company Secretary</b>		
<u>Position</u>	<u>Name of Individual</u>	Annex A completed?
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

### (C) A PARTNERSHIP OR OTHER UNINCORPORATED BODY

You must complete and submit the form at Annex A for all individuals named in this section

<b>Applicant Name</b>	
-----------------------	--

<b>Names of Partners</b>	Annex A completed?
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>

<b>Please state the names of than other persons responsible for the management of the Applicant other than the partners.</b>		
<u>Position</u>	<u>Name of Individual</u>	Annex A completed?
Manager	Francesca AMATULLI	<input checked="" type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

---

**Questions 3-6 to be completed in all cases**

<b>3</b>	<b>Does the applicant have a different trading name from that given above in (A), (B) or (C)? If yes, please provide details.</b>
	No

<b>4</b>	<b>What is the Applicant's trading address?</b>
	Obsessions 2b Whitworth Street West Deansgate Locks Manchester M1 5WZ

<b>5</b>	<b>Will the business be carried on for the benefit of a person other than the applicant? If yes, please provide full details.</b>
	No

<b>6</b>	<b>Does the applicant operate any other sex establishment? If yes, please provide full details.</b>
	No

### Part 3 – Operation of the Business

I confirm that the following matters related to the Operation of the Business have <b>not</b> changed since the last grant of the licence, as below:	Tick to confirm
The name of the Business from that stated on the licence	<input checked="" type="checkbox"/>
Any agreement (whether written or oral) in connection with the business, other than a tenancy agreement or lease, for example, a management agreement, partnership agreement or profit share agreement.	<input checked="" type="checkbox"/>
Any requirement of the business to purchase merchandise from a particular person or body	<input checked="" type="checkbox"/>
The identity of the person responsible for the day to day management of the business at the premises, vehicle, vessel or stall ('the Manager')	<input checked="" type="checkbox"/>
The identity of the person(s) responsible for the day to day management of the business in the absence of the Manager ('the Relief Manager(s)')	<input checked="" type="checkbox"/>
The system for checking the age and right to work in the UK for all employees.	<input checked="" type="checkbox"/>
The exterior signage and advertising, including the nature, content and size of such signage and any images used.	<input checked="" type="checkbox"/>
The means taken to prevent the interior of the premises being visible to passers-by.	<input checked="" type="checkbox"/>
The window displays exhibited at the premises.	<input checked="" type="checkbox"/>
Methods for solicitation of business in public areas, e.g. through fliers, business cards, billboard advertising, personal solicitation or advertising on motor vehicles.	<input checked="" type="checkbox"/>
The age restrictions applied in respect of admissions, and how these are enforced.	<input checked="" type="checkbox"/>
The arrangements for CCTV (including the location of cameras). and for retention of recordings	<input checked="" type="checkbox"/>
The arrangements for private booths or areas for sexual entertainment, including supervision for such areas. (SEV only)	<input checked="" type="checkbox"/>
The nature of the entertainment, e.g. lap-dancing, pole dancing, stage striptease. (SEV only)	<input checked="" type="checkbox"/>
The Code of Practice for performers, as well as the methods for monitoring and enforcing compliance in it. (SEV only)	<input checked="" type="checkbox"/>

The Rules for Customers as well as the methods for monitoring and enforcing compliance in it. (SEV only)	<input checked="" type="checkbox"/>
The Policy for the Welfare of Performers as well as the methods for monitoring and enforcing compliance in it. (SEV only)	<input checked="" type="checkbox"/>
<p><b>If there are changes to any of the matters listed above, please provide full details.</b></p> <p><b><i>Where the Code of Practice for Performers, Rules for Customers, or Policy for the Welfare of Performers have been amended, copies must be provided.</i></b></p>	

## Part 4 – Further Information

**Please include any further information which you wish the authority to take into account here.**

In the absence of Francesca Amatulli - Liam Scully or Leslie O'Neill work as Relief Managers at the premises.

## Part 5 – Checklist and Declaration

Checklist	Mark as appropriate
I have completed all relevant section of the application	<input checked="" type="checkbox"/>
I declare that a public notice advertising this application shall be displayed upon the premises where it may be conveniently read by the public and shall remain displayed for a period of no less than 21 consecutive days. A copy of the notice and completed statutory declaration shall be provided to the Licensing Unit.	<input checked="" type="checkbox"/>
I declare that within seven days of the date of this application a public notice advertising this application will be publicised in the legal notices column of the Manchester Evening News and an original copy of the published advertisement shall be forwarded to the Licensing Unit at Manchester City Council forthwith.	<input checked="" type="checkbox"/>
I understand that if I do not comply with the requirements above that my application shall be rejected.	<input checked="" type="checkbox"/>
I declare I have served a copy of this application on Greater Manchester Police.	<input checked="" type="checkbox"/>


I have completed Annex A for each person whose details have been included in this application	<input checked="" type="checkbox"/>
I have enclosed the relevant fee	<input checked="" type="checkbox"/>

### Declaration & Signature

The following declaration must be signed in all cases

Should the information provided in relation to this application form cease to be correct, or if there are any changes in the information provided in the application form between the date the application is submitted and the date it is determined, the Applicant must advise the licensing authority immediately. Failure to do so may result in any licence issued being revoked.

I/We certify to the best of our/my knowledge and belief that the information given in this application is complete and correct in every respect. I/We agree to notify the Licensing Authority should any of the information given in this application change.

Name	Liam Scully
Position in organisation	Director
Date	3 December 2018
Signature	

### Contact Details

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Marilyn Gayle Joelson JD LLP 30 Portland Place			
Post town	London	Post code	W1B 1LZ
Telephone number (if any)	020 7580 5721		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) marilyn.g@joelsonlaw.com			

### DOCUMENTS EVIDENCING PUBLIC NOTICE AND SERVICE *(for office use only)*

Complete copy of newspaper circulating in this area of the authority, containing advertisement of this application to be provided upon publication	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	------------------------------	-----------------------------

Copy of notice of application displayed on or near the premises	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Copy of affidavit or statutory declaration that notice has been displayed as required by Schedule 3 paragraph 10(10) Local Government (Miscellaneous Provisions) Act 1982.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Evidence of service of this application form and all enclosures upon <i>Licensing Partnership Office at Bootle Street Police Station, Bootle Street, Manchester, M2 5GU</i> within 7 days after the date of this application.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

*When the application is made electronically, including all enclosures, the licensing authority will serve the Chief Officer of Police.*





# MANCHESTER CITY COUNCIL

## LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982, PART II, SCHEDULE 3

### SEX ESTABLISHMENT LICENCE

<b>Licence number</b>	137513
<b>Effective Date</b>	09/01/2018
<b>Expiry Date</b>	08/01/2019

#### Part 1 - Premises details

Name and address of premises		
<b>Obsessions</b> 2B Whitworth Street West		
<b>Post town</b>	<b>Post code</b>	<b>Telephone number</b>
Manchester	M1 5WZ	0161 238 9019

Activities authorised by the licence
<p><b>1 Operation as a sexual entertainment venue –</b></p> <p>a Provision of relevant entertainment before a live audience for the financial gain of the organiser or the entertainer. "Relevant entertainment" means –</p> <p>i any live performance; or</p> <p>ii any live display of nudity;</p> <p>which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).</p>

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1200	1200	1200	1200	1200	1200	1200
Finish	0430	0430	0430	0430	0430	0430	0430
<b>Seasonal variations and Non standard Timings:</b> None							

Designated areas permitted for performances of sexual entertainment
Whole of premises

State whether full nudity is permitted or restricted
Permitted

**Part 2****Name and (registered) address of holder of licence****Primehill Properties Limited**

Walsh Partnership, Dylan Harvey Business Centre, Centurion Park, Davyfield Road, Blackburn, BB1 2QY

**Registered number of holder, for example company number, charity number (where applicable)**

08087746

**Annex 1 – Licence conditions****External Appearance of the Premises and Public Displays of Information**

1. The exterior of the premises must be presented in a manner appropriate for the character of the area. There shall be no advertisement or promotional material used by the premises that is unsuitable to be viewed by children, for example, by way of sexually provocative imagery. Any exterior signage shall be discreet and shall not display any imagery that suggests or indicates relevant entertainment takes place at the premises. Any external displays or advertising may only be displayed with the prior approval of the Licensing Unit Manager of Manchester City Council.
2. The prices for entrance and any compulsory purchases within the venue, shall be clearly displayed on the exterior of the premises.
3. All charges for products and services shall be displayed in prominent areas within the premises, and at each customer table and in the bar area.
4. Rules for customers shall be displayed in prominent areas within the premises, and at each customer table and in the bar area.
5. No charge shall be applied unless the customer has been made aware of the tariff of charge by the performer in advance of the performance.
6. There shall be no performers or persons employed at the premises in a state of undress, or scantily-clad, outside the premises at any time it is open.
7. The use of cruising cars by the premises to solicit for custom and/or transport people to or from the premises is prohibited.
8. The use of flyers and similar promotional material for the premises is prohibited.

**Control of Entry to the Premises**

9. The Challenge 25 proof of age scheme shall be operated at the premises whereby any person suspected of being under 25 years of age shall be required to produce identification proving they are over 18 years of age. The only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
10. The premises shall maintain a Refusals log whereby any occasion a person is refused entry shall be recorded and available upon request by the Police or an authorised officer of the Council.
11. All individuals employed on the premises to conduct a security activity (within the meaning of paragraph 2(1) (a) of Schedule 2 to the Private Security Act 2001) must be licensed by the Security Industry Authority.
12. Any person who appears to be drunk / intoxicated or under the influence of illegal drugs shall not be permitted entrance to the premises.
13. A policy of random searches of persons entering the premises shall be operated.

14. Any person found to be in possession of illegal drugs upon entry shall be prevented entry and, where possible, restrained until the Police can take such person into custody. Any persons found using illegal drugs on the premises shall be removed from the premises or, where possible, restrained until the Police can take such person into custody.
15. The licensed premises shall be so arranged by screening or obscuring windows, doors and other openings so that the interior of the licensed premises shall not be visible to persons outside the building.
16. The premises shall subscribe to the NiteNet radio system and radios shall be operational at all times the premises is open to the public.

**Conduct of performers and Rules relating to performances of sexual entertainment**

17. There shall be a written code of conduct for performers. All performers shall be required to certify their agreement to comply with the code and a record shall be kept on the premises and be made available upon request by the Police or an authorised officer of the Council. The code shall include the following:
  18. There shall be no intentional physical contact between performers and customers at any time, before, during or after the performance, with the exception of leading a customer by the hand to, or from, an area permitted for performances of sexual entertainment in advance of, or following, a performance.
  19. The performer may not simulate any sexual act during a performance.
  20. Performers must not use any inappropriate, lewd, suggestive or sexually graphic language in any public or performance areas of the premises.
  21. Performers must not touch the breasts or genitalia of another performer, at any time as part of a performance.
  22. There shall be no use of sex articles (as defined by paragraph 4(3) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982) at any time.
  23. There shall be no nudity by performers in public areas of the premises, unless the Council has agreed in writing that area may be used for performances of sexual entertainment.
  24. Performers must fully dress (i.e. no nudity) at the end of each performance.
  25. Performances of sexual entertainment may only take place in designated areas of the premises as agreed in writing by the Council
  26. There shall be no photography permitted by customers on the premises.
  27. Customers must remain seated for the duration of a performance.
  28. Performers shall not arrange to meet, or have further contact with, customers outside of the premises.

**The protection of performers and the prevention of crime on the premises**

29. Performers shall be provided with secure and private changing facilities.
30. All entrances to private areas to which members of the public are not permitted access shall have clear signage stating that access is restricted.
31. Any exterior smoking area for use by performers shall be kept secure and separate to any public smoking area.
32. The licence holder shall implement a written policy to ensure the safety of performers when leaving the premises following any period of work.
33. Private booths must not be fully enclosed. There must be a clear sight-line from outside the booth so that any performance of sexual entertainment can be directly monitored.

34. There must be a minimum of one member of security staff present on any floor where a performance of sexual entertainment is taking place.
35. Any private booths shall be fitted with a panic button or security alarm.
36. There shall be no alterations to the layout plan of the premises without the prior written approval of the Council.

### **Record Keeping and Management**

37. All performers shall be required to provide valid identification prior to first employment at the premises. Acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or national ID card.
38. All performers and staff shall be eligible to work in the UK and proof of eligibility records shall be kept on the premises. Management shall ensure that such records are regularly checked to ensure compliance.
39. Employment records for performers and staff shall be kept for a minimum of 6 months following the cessation of their employment.
40. Accurate payment and remuneration records shall be maintained and shall be made available upon request to the Police or an authorised officer of the Council. All fees and charges for performers shall be stated in writing and prominently displayed within the changing area.
41. No films may be shown at the premises unless they have been passed by the British Board of Film Classification. No films classified as R18 shall be shown on the premises.

### **CCTV**

42. The CCTV system must comply with:
  - a. *British Standard 7958:2009 - Closed circuit television (CCTV). Management and operation. Code of practice.*
43. Where CCTV system incorporates a digital recording function, it must also comply with:
  - a. *British Standard 8495:2007 - Code of practice for digital CCTV recording systems for the purpose of image export to be used as evidence.*
44. The DPS / premise owner must maintain an annual registration with the Information Commissioners Office - as stipulated under the Data Protection Act 1998.
45. At all times, the CCTV system and recordings must be kept in a secured environment under the control of the DPS or other nominated responsible named individual. Also a full instruction manual for the CCTV system must be available to the Police and other Responsible Authorities.
46. The CCTV system must be maintained in good working order to:
  - a. *Operate on 'real-time' at a minimum rate of 20 frames-per-second, with constant, correct time/date generation.*
  - b. *Have a recording capability capable of providing individual pictures.*
  - c. *Provide clean, clear and unobstructed camera views of evidential quality in all lighting conditions.*
  - d. *Provide correctly timed and date stamped recordings - which must be stored in date order, numbered sequentially and kept for a period of 31 days and handed to the Police on request.*
  - e. *Export footage to a removable storage medium with a time and date integral to the image – where possible, to also include any software needed to replay the footage.*
  - f. *Ensure exported footage at the same, or similar quality to that recorded on the system recording.*

47. During all periods of licensable activity a nominated and trained 'CCTV Operator' must be on duty, in order to:
- a. *inspect the CCTV system on a daily basis, and ensure that all cameras are in full working order.*
  - b. *record each inspection on a 'CCTV maintenance' log sheet, and endorse with their signature.*
  - c. *facilitate the downloading CCTV footage.*
48. During all periods of non-licensable activity, a 'CCTV Operator' must be contactable by the police on a designated emergency-only telephone number. This number must be registered with the local police licensing officer.
49. The CCTV system must:
- a. *Incorporate at least one camera on every entrance and exit to the premises - individuals must identifiable, and occupy at least 120% of the available screen height.*
  - b. *Incorporate at least one camera on all areas where the sale/supply of alcohol occurs - individuals must recognisable, and occupy at least 50% of the available screen height.*
  - c. *Incorporate at least one camera on any potential queue area external to the premises, and car parking area within the boundary of the premises - individuals must be detectable, and occupy at least 10% of the available screen height.*
  - d. *Ensure that all other cameras at the premises allow for individuals to be recognisable, and occupy at least 50% of the screen height.*
50. In the event of a technical failure of the CCTV system, the nominated CCTV Operator or DPS will ensure the matter is reported to the MCC Licensing Unit within 24 hours.
51. A camera which records a facial picture of customers entering the premises shall be situated at the reception and a monitor situated there so customers entering can see same.
52. CCTV shall cover all public areas of the premises including all areas where performances of sexual entertainment are conducted.
- Dress Code**
53. The premises shall operate a dress code for customers to the satisfaction of Greater Manchester Police

## Annex 2 – Plans

See attached.

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**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)  
ACT 1982**

**Reference:** 224111  
**Name:** Victoria's  
**Address:** Part Basement, 8 Dantzic Street, Manchester, M4  
2AD  
**Ward:** Piccadilly

**Hearing Date: 21/01/2019**

**Application Type:** Renewal Sexual Entertainment Venue  
**Name of Applicant:** Roefax Limited  
**Date of application:** 03/12/2018

**Objections Received against the Application**

No objections received

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## 1. Introduction

- 1.1 The Local Government (Miscellaneous Provisions) Act 1982 provides the legislative framework in relation to the licensing of sex establishments. Section 27 of the Policing and Crime Act 2009 introduced a new category of sex establishment called a 'sexual entertainment venue', which allow local authorities to regulate lap dancing clubs and similar venues under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. The new powers were adopted by the Council with effect from 9 January 2011.

### **Sexual Entertainment Venues and Relevant Entertainment**

- 1.2 A sexual entertainment venue is defined as:

"A premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or entertainer unless an exemption applies."

- 1.3 There are 2 categories of 'relevant entertainment':

- live performances, and
- live displays of nudity.

- 1.4 In each case, the entertainment must be of such a nature that, ignoring financial gain, it must be reasonably assumed to be provided solely or principally for the purposes of sexually stimulating any member of the audience whether by verbal or other means. An audience can consist of just one person e.g. private shows.

## 2. Application

- 2.1 This is an application for a renewal of a Sex Establishment Licence for Victoria's, "Part Basement", 8 Dantzic Street, Manchester, M4 2AD, to enable the premises to operate as a Sexual Entertainment Venue.
- 2.2 The application is to allow lap dancing, pole dancing and stage shows; all including full nudity, at the premises. The application is also to allow full contact between performers and customers (Question 30c).
- 2.3 A copy of the application is provided at Annex 1. However, personal and commercially sensitive information has been redacted. This information will be provided by way of a separate bundle and may be considered by the Committee at the hearing under Part B.
- 2.4 The premises is currently operating as a lap dancing premises and is licensed under the Licensing Act 2003 (Annex 2).

### 3. Objections received against the Application

- 3.1 Any person can object to an application but the objection should be relevant to the grounds set out in paragraph 12 of Schedule 3 of the Act for refusing a licence as set out in Section 4 of the report.
- 3.2 Objections should not be based on moral grounds/values and objections that are not relevant to the grounds set out in paragraph 12 should not be considered.
- 3.3 Although the council is under a duty to consider any objections made within 28 days of the application, it has discretion to hear later objections provided the applicant is given the opportunity to deal with those objections.
- 3.4 The council shall not without the consent of the person making the objection reveal their name or address to the applicant.
- 3.5 No objections have been received against this application.

### 4. Mandatory and Discretionary Grounds for Refusal of a Licence

- 4.1 Paragraph 12 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 sets out the grounds for refusing an application for the grant, renewal or transfer of a licence. A decision to refuse a licence must be relevant to one or more of the below grounds.

#### Mandatory Grounds

- 4.2 A licence must not be granted:
  - a) to a person under the age of 18;
  - b) to a person who is for the time being disqualified due to the person having had a previous licence revoked in the area of the appropriate authority within the last 12 months;
  - c) to a person, other than a body corporate, who is not resident in an EEA state or was not so resident throughout the period of six months immediately preceding the date when the application was made; or
  - d) to a body corporate which is not incorporated in an EEA state; or
  - e) to a person who has, within a period of 12 months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.
- 4.3 None of the above mandatory grounds for refusal are met in respect of this application.

### **Discretionary**

- 4.4 A licence may be refused where:
- a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
  - b) if the licence were to be granted, renewed, or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;
  - c) the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that locality;
  - d) that the grant or renewal of the licence would be inappropriate having regard -
    - i) to the character of the relevant locality; or
    - ii) to the use to which any premises in the vicinity are put; or
    - iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.
- 4.5 Applications should only be refused where the Council considers it as necessary and proportionate to do so, and any decision shall be on a non-discriminatory basis.

### **Human Rights Act**

- 4.6 When determining a licence application Manchester City Council will have regard to any rights the applicant may have under Article 10 (right to freedom of expression) and Article 1, Protocol 1 (protection of property) of the European Convention on Human Rights.
- 4.7 Article 1 of Protocol 1 of the European Convention of Human Rights states:
- “Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
- The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.”
- 4.8 A licence is a possession.
- 4.9 When considering matters relating to the grant, revocation, renewal or refusal of licences and the placing of conditions on licences, the Committee must

consider whether the decision affects an individual, group or company's Human Rights as set out in the Convention and if it does, whether the interference with those rights is permissible by reason of the justifications set out in the Convention. In addition consideration must be given to whether the interference is proportionate to the general purpose.

## 5. Applicant Considerations

- 5.1 The Council needs to be satisfied that the applicants for a sex establishment licence are suitable to operate the business by ensuring:
- a) that the operator is honest;
  - b) that the operator is qualified by experience to run the type of sex establishment in question;
  - c) that the operator understands the general conditions;
  - d) that the operator is proposing a management structure which will deliver compliance with operating conditions e.g. though:
    - i) managerial competence;
    - ii) attendance at the premises;
    - iii) a credible management structure;
    - iv) enforcement of rules internally, e.g. through training and monitoring
    - v) a viable business plan, e.g. sufficient to employ door staff and install CCTV;
    - vi) policies for the welfare of performers (SEV only).
  - e) that the operator can be relied upon to act in the best interests of the performers, e.g. in how they are remunerated, the facilities they enjoy, how they are protected and how and by whom their physical and psychological welfare is monitored (SEV only);
  - f) that the operator can be relied upon to protect the public, e.g. transparent charging, freedom from solicitation;
  - g) that the operator can show a track record of management of compliant premises, or that s/he will employ individuals who will have such a track record;
- 5.2 All applications will be considered but they are unlikely to be granted if the following apply:
- a) the applicant has a criminal record. Offences that would be considered particularly relevant include:
    - convictions for dishonesty

- violence
  - sexual offences
  - drugs
  - public order
  - people trafficking
- b) the applicant has previously been involved in running an unlicensed sex establishment;
- c) if the licence were to be granted, the business to which it relates would be managed by or run for the benefit of a person other than the applicant who would be refused the grant of such a licence if they made it themselves.

5.3 It is anticipated that these expectations would be demonstrated by the operator through their completed application form and any accompanying submissions as part of the application process. However, the Council may also take into account any oral submissions made at any hearing to determine the application.

## **6. Location Considerations**

- 6.1 A licence can be refused if either, at the time the application, it is determined that the number of sex establishments, or sex establishments of a particular kind, in the relevant locality is equal to or exceeds the number that the authority considers appropriate for that locality; or that a sex establishment would be inappropriate having regard to the character of the relevant locality, the use to which any premises in the vicinity are put or the layout, character or condition of the premises.
- 6.2 Manchester City Council's Policy for Sex Establishments states that that areas located outside the City Centre, as defined by the Planning Department's definition of the City Centre, are not appropriate locations for sex establishments. Therefore, the policy is that the appropriate number for sex establishments outside of the City Centre is nil.
- 6.3 Within the City Centre, an appropriate number for sex establishments has not been set. Applications will be determined as they arise.
- 6.4 Sex establishments will not normally be licensed near to:
- a) housing;
  - b) schools, play areas, nurseries or children's centres;
  - c) family shopping or leisure areas;
  - d) places of worship;

- e) historic buildings or tourist attractions;
- f) other places where relevant entertainment takes place;
- g) other sensitive uses that may be relevant e.g. women's hostel;

where the proximity to such uses is likely to be considered by the Council to be inappropriate in having regard to the character of the relevant locality and the use to which any premises in the vicinity are put.

6.5 The spatial distribution of licensed premises is very relevant particularly with consideration to their impact upon the character of the locality. The Council will have regard to the uses of all other premises in the area as well as any potential adverse impact upon:

- a) regeneration;
- b) tourism;
- c) the retail or commercial attraction of the area;
- d) social issues e.g. prostitution, anti-social behaviour.

6.6 Within the city centre no licences shall be granted for premises within the following locations:

- a) parks or external areas/squares that attract large numbers of children such as, but not limited to, Castlefield Arena, Piccadilly Gardens, Albert Square, St Anne's Square, Exchange Square;
- b) entertainment centres which have children/family focussed entertainment;
- c) community buildings such as, but not limited to, places of worship, libraries, GPs surgeries;
- d) the area (framed by Deansgate to the west; Peter Street, Mount Street and Lower Mosley Street to the north; Portland Street, Oxford Street and Lower Mosley Street to the east; and Whitworth Street West to the south) as set out in Appendix A of the Council's Policy for Sex Establishments;
- e) where further sex oriented uses would change the character of an area;
- f) where further sex oriented uses would deter people from using the area comfortably/at all;
- g) where further sex oriented uses raises the fear of crime in the locality; or where such locations form part of the relevant locality.

6.7 The decision regarding what constitutes the 'relevant locality' is a matter for the Committee. However, such questions must be decided on the facts of the individual application.

6.8 The Council may also have regard to the following factors:

- a) access routes to schools, play areas, nurseries or children's centres or other uses normally attended by children;
- b) any existing licensing permissions for the premises;
- c) the proximity of other licensed premises in the surrounding area and the terms of those licences;
- d) the Planning permission for the premises and surrounding uses;
- e) any existing Planning or Regeneration policy/plan/strategy relevant to the area;
- f) history of complaints relevant to the premises;
- g) the nature of the daytime and night-time economies in the surrounding area.

6.9 This premises is located within the City Centre (see 6.3).

6.10 This premises is not located within the area set out in 6.6 (d) above.

## **7. Licence Conditions**

7.1 The Council has adopted standard conditions in respect of sexual entertainment venues, which will apply to all respective licences granted, unless such conditions have been expressly excluded or varied. These proposed standard conditions will be provided separately to the report.

7.2 However, following a hearing, the Licensing and Appeals Committee may attach such further conditions to a licence as are considered necessary and proportionate in the public interest including, but not limited to, the interest of public policy, public security, public health or the protection of the environment. This could include conditions restricting the opening and closing times of the premises.

7.3 The applicant has not requested any variations to the standard conditions.

## **8. Conclusion**

8.1 In determining an application for a sex establishment licence, any decision to refuse an application may only be made in accordance with the mandatory and discretionary grounds for refusal as set out in Section 4 of the report.

8.2 None of the mandatory grounds have been met in respect of this application.

8.3 The discretionary grounds are set out in full at 4.4.

8.4 The decision regarding what constitutes the 'relevant locality' is a matter for the Committee. However, such questions must be decided on the facts of the individual application.

- 8.5 When considering a particular application case law has indicated that the relevant locality does not have to be a clearly pre-defined area nor are local authorities required to be able to define its precise boundaries. Therefore, while a local authority is not prevented from defining the exact area of the relevant locality, it is equally free to conclude that it simply refers to the area which surrounds the premises specified in the application and does not require further definition. Nevertheless a local authority's view of what constitutes a locality could be open to challenge if they took a completely unreasonable view of the area covered. Case law also indicates that a relevant locality cannot be an entire local authority area or an entire town or city.
- 8.6 Once the Committee has determined the relevant locality, it should seek to make an assessment of the 'character' of the relevant locality and whether it considers any sex establishments, or sex establishment of a particular kind, are appropriate for that relevant locality.
- 8.7 When considering the application, the Committee must have regard to:
- the Council's Policy for Sex Establishments;
  - information submitted as part of the application;
  - any observations submitted to it by the chief officer of police;
  - any objections received from anyone else within 28 days of the application
- 8.8 Members may also take into account any oral submissions made at any hearing to determine the application. Additionally, the Committee may have regard to any objections received after 28 days of the application.
- 8.9 Applications should only be refused where the Council considers it as necessary and proportionate to do so, and any decision shall be on a non-discriminatory basis.
- 8.10 Where the Committee has decided to grant a licence, it may impose terms, conditions and restrictions on that licence, either in the form of conditions specific to the individual licence under paragraph 8 of Schedule 3 or standard conditions made by the Council under paragraph 13 of Schedule 3.
- 8.11 The Council has adopted Standard Conditions applicable to Sexual Entertainment Venues.
- 8.12 Any licence granted shall be subject to those Standard Conditions, save for where they have been expressly excluded or varied by the Committee.



## 9. Annexes

- Annex 1      Application
- Annex 2      Current premises licence under the Licensing Act 2003 for  
Victoria's. "Part Basement", 8 Dantzic Street, Manchester, M4  
2AD

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**MANCHESTER  
CITY COUNCIL**

**Premises Licensing Team**

Telephone: +44 (0)161 234 5004  
 premises.licensing@manchester.gov.uk  
 Level 1 Town Hall Extension, Albert  
 Square, PO Box 532, M60 2LA

**Application for Renewal of a Sex Establishment Licence pursuant to  
 Schedule 3, Local Government (Miscellaneous Provisions) Act 1982**

This form should be completed and forwarded to the Manchester City Council Premises Licensing Team at the above address with the required fee. Cheques, etc. should be made payable to the Manchester City Council. Payment may also be made by credit or debit card upon request.

**Important Notes**

1. All questions must be answered, save where otherwise stated. If relevant questions are not answered, the application will be deemed incomplete and returned to the Applicant.
2. Any person who, in connection with an application for a grant, renewal or transfer of a sex establishment licence makes a false statement which he knows to be false in any material respect of which he does not believe to be true is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000.

---

**Part 1 – Premises Details**

I/We Roefax Limited

*(Insert name(s) of applicant)*

apply for the Renewal of a Sex Establishment Licence as described below.

**1. This renewal application is for a:**

- |                            |                                     |
|----------------------------|-------------------------------------|
| Sex Shop                   | <input type="checkbox"/>            |
| Sex Cinema                 | <input type="checkbox"/>            |
| Sexual Entertainment Venue | <input checked="" type="checkbox"/> |

<b>Please state the Licence Number of the Sex Establishment premises to be renewed</b>	205236
--	--------

<b>Name and Postal address of premises</b>			
Victoria's Ground & Lower Ground Floors Victoria Building, Dantzig Street			
<b>Post town</b>	Manchester	<b>Post code</b>	M4 2AD
<b>Telephone number</b>			

## Part 2 – The Applicant

### 2. Please state whether you are applying for a renewal as:

- a) an individual  please complete section (A)
- b) a company or other corporate body  please complete section (B)
- c) a partnership or other unincorporated body  please complete section (C)

### (A) INDIVIDUAL APPLICANT (fill in as applicable)

You must complete and submit the form at Annex A for the individual named in this section

		Annex A completed?
<b>Full Name of Applicant</b>		<input type="checkbox"/>

<b>Former name (if applicable)<sup>1</sup></b>	
--	--

<sup>1</sup> If the Applicant has been formerly known by a different name, please provide details

### (B) A COMPANY OR OTHER CORPORATE BODY

You must complete and submit the form at Annex A for all individuals named in this section

<b>Applicant Name<sup>1</sup></b>	Roefax Limited
<b>Address</b>	Unit 2, 275 Deansgate, Manchester, England M3 4EL
<b>Registered number<sup>2</sup></b>	09430931
<b>Telephone number</b>	0161 238 9019
<b>E-mail address</b>	
<b>Previous Name (if applicable)<sup>3</sup></b>	

<sup>1</sup> If your business is registered, use its registered name

<sup>2</sup> If business is not registered, put "none"

<sup>3</sup> If the Applicant has been formerly known by a different name, please provide details

<b>Please state the names of:</b> <b>(i) the Applicant's Directors;</b> <b>(ii) Company Secretary;</b> <b>(iii) any other persons responsible for the management of the Applicant; and</b> <b>(iv) any persons with a shareholding of greater than 10% in the Applicant</b>		
<u>Position</u>	<u>Name of Individual</u>	Annex A completed?
Director	Liam SCULLY	<input checked="" type="checkbox"/>
Director	Leslie O'NEILL	<input checked="" type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

<b>Is the applicant a wholly owned subsidiary of another company or corporate body? If so state the name, place of registration and identity of its Directors and Company Secretary</b>		
Name		
Place of registration		
<b>Names of Directors and Company Secretary</b>		
<u>Position</u>	<u>Name of Individual</u>	Annex A completed?
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

### (C) A PARTNERSHIP OR OTHER UNINCORPORATED BODY

You must complete and submit the form at Annex A for all individuals named in this section

<b>Applicant Name</b>	
-----------------------	--

<b>Names of Partners</b>	Annex A completed?
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>

<b>Please state the names of than other persons responsible for the management of the Applicant other than the partners.</b>		
<u>Position</u>	<u>Name of Individual</u>	Annex A completed?
Manager	Aaron JARVIS	<input checked="" type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

**Questions 3-6 to be completed in all cases**

<b>3</b>	<b>Does the applicant have a different trading name from that given above in (A), (B) or (C)? If yes, please provide details.</b>
	No

<b>4</b>	<b>What is the Applicant's trading address?</b>
	Victoria's Ground & Lower Ground Floors, Victoria Building, Dantzig Street, Manchester M4 2AD

<b>5</b>	<b>Will the business be carried on for the benefit of a person other than the applicant? If yes, please provide full details.</b>
	No

<b>6</b>	<b>Does the applicant operate any other sex establishment? If yes, please provide full details.</b>
	No

### Part 3 – Operation of the Business

I confirm that the following matters related to the Operation of the Business have <b><u>not</u></b> changed since the last grant of the licence, as below:	Tick to confirm
The name of the Business from that stated on the licence	<input checked="" type="checkbox"/>
Any agreement (whether written or oral) in connection with the business, other than a tenancy agreement or lease, for example, a management agreement, partnership agreement or profit share agreement.	<input checked="" type="checkbox"/>
Any requirement of the business to purchase merchandise from a particular person or body	<input checked="" type="checkbox"/>
The identity of the person responsible for the day to day management of the business at the premises, vehicle, vessel or stall ('the Manager')	<input checked="" type="checkbox"/>
The identity of the person(s) responsible for the day to day management of the business in the absence of the Manager ('the Relief Manager(s)')	<input checked="" type="checkbox"/>
The system for checking the age and right to work in the UK for all employees.	<input checked="" type="checkbox"/>
The exterior signage and advertising, including the nature, content and size of such signage and any images used.	<input checked="" type="checkbox"/>
The means taken to prevent the interior of the premises being visible to passers-by.	<input checked="" type="checkbox"/>
The window displays exhibited at the premises.	<input checked="" type="checkbox"/>
Methods for solicitation of business in public areas, e.g. through fliers, business cards, billboard advertising, personal solicitation or advertising on motor vehicles.	<input checked="" type="checkbox"/>
The age restrictions applied in respect of admissions, and how these are enforced.	<input checked="" type="checkbox"/>
The arrangements for CCTV (including the location of cameras). and for retention of recordings	<input checked="" type="checkbox"/>
The arrangements for private booths or areas for sexual entertainment, including supervision for such areas. (SEV only)	<input checked="" type="checkbox"/>
The nature of the entertainment, e.g. lap-dancing, pole dancing, stage striptease. (SEV only)	<input checked="" type="checkbox"/>
The Code of Practice for performers, as well as the methods for monitoring and enforcing compliance in it. (SEV only)	<input checked="" type="checkbox"/>
The Rules for Customers as well as the methods for monitoring and enforcing compliance in it. (SEV only)	<input checked="" type="checkbox"/>

The Policy for the Welfare of Performers as well as the methods for monitoring and enforcing compliance in it. (SEV only)	<input checked="" type="checkbox"/>
<p><b>If there are changes to any of the matters listed above, please provide full details.</b></p> <p><i>Where the Code of Practice for Performers, Rules for Customers, or Policy for the Welfare of Performers have been amended, copies must be provided.</i></p>	

## Part 4 – Further Information

<p><b>Please include any further information which you wish the authority to take into account here.</b></p> <p>In the absence of Aaron Jarvis, Liam Scully or Leslie O'Neill work as Relief Managers at the premises.</p>
--

## Part 5 – Checklist and Declaration

Checklist	Mark as appropriate
I have completed all relevant section of the application	<input checked="" type="checkbox"/>
I declare that a public notice advertising this application shall be displayed upon the premises where it may be conveniently read by the public and shall remain displayed for a period of no less than 21 consecutive days. A copy of the notice and completed statutory declaration shall be provided to the Licensing Unit.	<input checked="" type="checkbox"/>
I declare that within seven days of the date of this application a public notice advertising this application will be publicised in the legal notices column of the Manchester Evening News and an original copy of the published advertisement shall be forwarded to the Licensing Unit at Manchester City Council forthwith.	<input checked="" type="checkbox"/>
I understand that if I do not comply with the requirements above that my application shall be rejected.	<input checked="" type="checkbox"/>
I declare I have served a copy of this application on Greater Manchester Police.	<input checked="" type="checkbox"/>
I have completed Annex A for each person whose details have been included in this application	<input checked="" type="checkbox"/>
I have enclosed the relevant fee	<input checked="" type="checkbox"/>




**Declaration & Signature**

The following declaration must be signed in all cases

Should the information provided in relation to this application form cease to be correct, or if there are any changes in the information provided in the application form between the date the application is submitted and the date it is determined, the Applicant must advise the licensing authority immediately. Failure to do so may result in any licence issued being revoked.

I/We certify to the best of our/my knowledge and belief that the information given in this application is complete and correct in every respect. I/We agree to notify the Licensing Authority should any of the information given in this application change.

Name	Liam Scully
Position in organisation	Director
Date	3 December 2018
Signature	

**Contact Details**

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Marilyn Gayle Joelson JD LLP 30 Portland Place			
Post town	London	Post code	W1B 1LZ
Telephone number (if any)	020 7580 5721		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) marilyn.g@joelsonlaw.com			

**DOCUMENTS EVIDENCING PUBLIC NOTICE AND SERVICE** *(for office use only)*

Complete copy of newspaper circulating in this area of the authority, containing advertisement of this application to be provided upon publication	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Copy of notice of application displayed on or near the premises	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Copy of affidavit or statutory declaration that notice has been displayed as required by Schedule 3 paragraph 10(10) Local Government (Miscellaneous Provisions) Act 1982.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Evidence of service of this application form and all enclosures upon <i>Licensing Partnership Office at Bootle Street Police Station, Bootle Street, Manchester, M2 5GU</i> within 7 days after the date of this application.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
---	------------------------------	-----------------------------

*When the application is made electronically, including all enclosures, the licensing authority will serve the Chief Officer of Police.*



# MANCHESTER CITY COUNCIL

## LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982, PART II, SCHEDULE 3

### SEX ESTABLISHMENT LICENCE

<b>Licence number</b>	205236
<b>Effective Date</b>	09/01/2018
<b>Expiry Date</b>	08/01/2019

#### Part 1 - Premises details

Name and address of premises		
<b>Victoria's</b> Ground/Lower Floor Victoria Bu, Dantzic Street, Manchester		
<b>Post town</b>	<b>Post code</b>	<b>Telephone number</b>
Manchester	M4 2AD	

#### Activities authorised by the licence

**1 Operation as a sexual entertainment venue –**

a Provision of relevant entertainment before a live audience for the financial gain of the organiser or the entertainer. "Relevant entertainment" means –

i any live performance; or

ii any live display of nudity;

which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).

#### Hours premises are open to the public

##### Standard timings

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1900	1900	1900	1900	1900	1900	1900
Finish	0430	0430	0430	0430	0430	0430	0430

##### Seasonal variations and Non standard Timings:

None

#### Designated areas permitted for performances of sexual entertainment

Whole of premises

#### State whether full nudity is permitted or restricted

Permitted

#### Part 2

#### Name and (registered) address of holder of licence

Roefax Ltd  
Unit 2, 275 Deansgate, Manchester, England, M3 4EL

**Registered number of holder, for example company number, charity number (where applicable)**

## **Annex 1 – Licence conditions**

### **External Appearance of the Premises and Public Displays of Information**

1. The exterior of the premises must be presented in a manner appropriate for the character of the area. There shall be no advertisement or promotional material used by the premises that is unsuitable to be viewed by children, for example, by way of sexually provocative imagery. Any exterior signage shall be discreet and shall not display any imagery that suggests or indicates relevant entertainment takes place at the premises. Any external displays or advertising may only be displayed with the prior approval of the Licensing Unit Manager of Manchester City Council.
2. The prices for entrance and any compulsory purchases within the venue, shall be clearly displayed on the exterior of the premises.
3. All charges for products and services shall be displayed in prominent areas within the premises, and at each customer table and in the bar area.
4. Rules for customers shall be displayed in prominent areas within the premises, and at each customer table and in the bar area.
5. No charge shall be applied unless the customer has been made aware of the tariff of charge by the performer in advance of the performance.
6. There shall be no performers or persons employed at the premises in a state of undress, or scantily-clad, outside the premises at any time it is open.
7. The use of cruising cars by the premises to solicit for custom and/or transport people to or from the premises is prohibited.
8. The use of flyers and similar promotional material for the premises is prohibited.

### **Control of Entry to the Premises**

9. The Challenge 25 proof of age scheme shall be operated at the premises whereby any person suspected of being under 25 years of age shall be required to produce identification proving they are over 18 years of age. The only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.

***OR at the discretion of the Licensing Authority in individual circumstances the following condition may be applied:***

10. All persons entering the premises must supply verifiable identification details that are passed through a digital scanning and recording system such as Club Scan, Idvista or similar computerised system
11. The premises shall maintain a Refusals log whereby any occasion a person is refused entry shall be recorded and available upon request by the Police or an authorised officer of the Council.
12. All individuals employed on the premises to conduct a security activity (within the meaning of paragraph 2(1) (a) of Schedule 2 to the Private Security Act 2001) must be licensed by the Security Industry Authority.
13. Any person who appears to be drunk / intoxicated or under the influence of illegal drugs shall not be permitted entrance to the premises.
14. A policy of random searches of persons entering the premises shall be operated.
15. Any person found to be in possession of illegal drugs upon entry shall be prevented entry and, where possible, restrained until the Police can take such person into custody. Any persons found using illegal drugs on the premises shall be removed from the premises or, where possible, restrained until the

Police can take such person into custody.

16. The licensed premises shall be so arranged by screening or obscuring windows, doors and other openings so that the interior of the licensed premises shall not be visible to persons outside the building.
17. The premises shall subscribe to the NiteNet radio system and radios shall be operational at all times the premises is open to the public.

#### **Conduct of performers and Rules relating to performances of sexual entertainment**

18. There shall be a written code of conduct for performers. All performers shall be required to certify their agreement to comply with the code and a record shall be kept on the premises and be made available upon request by the Police or an authorised officer of the Council. The code shall include the following:
  19. There shall be no intentional physical contact between performers and customers at any time, before, during or after the performance, with the exception of leading a customer by the hand to, or from, an area permitted for performances of sexual entertainment in advance of, or following, a performance.
  20. The performer may not simulate any sexual act during a performance.
  21. Performers must not use any inappropriate, lewd, suggestive or sexually graphic language in any public or performance areas of the premises.
  22. Performers must not touch the breasts or genitalia of another performer, at any time as part of a performance.
  23. There shall be no use of sex articles (as defined by paragraph 4(3) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982) at any time.
  24. There shall be no nudity by performers in public areas of the premises, unless the Council has agreed in writing that area may be used for performances of sexual entertainment.
  25. Performers must fully dress (i.e. no nudity) at the end of each performance.
  26. Performances of sexual entertainment may only take place in designated areas of the premises as agreed in writing by the Council
  27. There shall be no photography permitted by customers on the premises.
  28. Customers must remain seated for the duration of a performance.
  29. Performers shall not arrange to meet, or have further contact with, customers outside of the premises.

#### **The protection of performers and the prevention of crime on the premises**

30. Performers shall be provided with secure and private changing facilities.
31. All entrances to private areas to which members of the public are not permitted access shall have clear signage stating that access is restricted.
32. Any exterior smoking area for use by performers shall be kept secure and separate to any public smoking area.
33. The licence holder shall implement a written policy to ensure the safety of performers when leaving the premises following any period of work.
34. Private booths must not be fully enclosed. There must be a clear sight-line from outside the booth so that any performance of sexual entertainment can be directly monitored.
35. There must be a minimum of one member of security staff present on any floor where a performance of sexual entertainment is taking place.

36. Any private booths shall be fitted with a panic button or security alarm.
37. There shall be no alterations to the layout plan of the premises without the prior written approval of the Council.

### **Record Keeping and Management**

38. All performers shall be required to provide valid identification prior to first employment at the premises. Acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or national ID card.
39. All performers and staff shall be eligible to work in the UK and proof of eligibility records shall be kept on the premises. Management shall ensure that such records are regularly checked to ensure compliance.
40. Employment records for performers and staff shall be kept for a minimum of 6 months following the cessation of their employment.
41. Accurate payment and remuneration records shall be maintained and shall be made available upon request to the Police or an authorised officer of the Council. All fees and charges for performers shall be stated in writing and prominently displayed within the changing area.
42. No films may be shown at the premises unless they have been passed by the British Board of Film Classification. No films classified as R18 shall be shown on the premises.

### **CCTV**

43. The CCTV system must comply with:
- a. *British Standard 7958:2009 - Closed circuit television (CCTV). Management and operation. Code of practice.*
44. Where CCTV system incorporates a digital recording function, it must also comply with:
- a. *British Standard 8495:2007 - Code of practice for digital CCTV recording systems for the purpose of image export to be used as evidence.*
45. The DPS / premise owner must maintain an annual registration with the Information Commissioners Office - as stipulated under the Data Protection Act 1998.
46. At all times, the CCTV system and recordings must be kept in a secured environment under the control of the DPS or other nominated responsible named individual. Also a full instruction manual for the CCTV system must be available to the Police and other Responsible Authorities.
47. The CCTV system must be maintained in good working order to:
- a. *Operate on 'real-time' at a minimum rate of 20 frames-per-second, with constant, correct time/date generation.*
  - b. *Have a recording capability capable of providing individual pictures.*
  - c. *Provide clean, clear and unobstructed camera views of evidential quality in all lighting conditions.*
  - d. *Provide correctly timed and date stamped recordings - which must be stored in date order, numbered sequentially and kept for a period of 31 days and handed to the Police on request.*
  - e. *Export footage to a removable storage medium with a time and date integral to the image – where possible, to also include any software needed to replay the footage.*
  - f. *Ensure exported footage at the same, or similar quality to that recorded on the system recording.*
48. During all periods of licensable activity a nominated and trained 'CCTV Operator' must be on duty, in order to:

- a. *inspect the CCTV system on a daily basis, and ensure that all cameras are in full working order.*
  - b. *record each inspection on a 'CCTV maintenance' log sheet, and endorse with their signature.*
  - c. *facilitate the downloading CCTV footage.*
49. During all periods of non-licensable activity, a 'CCTV Operator' must be contactable by the police on a designated emergency-only telephone number. This number must be registered with the local police licensing officer.
50. The CCTV system must:
- a. *Incorporate at least one camera on every entrance and exit to the premises - individuals must identifiable, and occupy at least 120% of the available screen height.*
  - b. *Incorporate at least one camera on all areas where the sale/supply of alcohol occurs - individuals must recognisable, and occupy at least 50% of the available screen height.*
  - c. *Incorporate at least one camera on any potential queue area external to the premises, and car parking area within the boundary of the premises - individuals must be detectable, and occupy at least 10% of the available screen height.*
  - d. *Ensure that all other cameras at the premises allow for individuals to be recognisable, and occupy at least 50% of the screen height.*
51. In the event of a technical failure of the CCTV system, the nominated CCTV Operator or DPS will ensure the matter is reported to the MCC Licensing Unit within 24 hours.
52. A camera which records a facial picture of customers entering the premises shall be situated at the reception and a monitor situated there so customers entering can see same.
53. CCTV shall cover all public areas of the premises including all areas where performances of sexual entertainment are conducted.

**Dress Code**

54. The premises shall operate a dress code for customers to the satisfaction of Greater Manchester Police

**Annex 2 – Plans**

See attached.

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