



Licensing Sub Committee Hearing Panel

Date: Monday, 11 March 2019

Time: 10.00 am

Venue: Room 1009, Level 1, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Attendees should wait in the waiting area in the Rates Hall in the Town Hall Extension, from where they will be taken to Room 1009 on a case-by-case basis. The Rates Hall is accessed via the St. Peter's Square entrance and can also be reached from the Mount Street entrance and from Library Walk.

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

Membership of the Licensing Sub Committee Hearing Panel

Councillors – Grimshaw (Chair), Lynch and McHale

Agenda

1. Urgent Business

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

2. Appeals

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

3. Interests

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

- 4. Application for a New Premises Licence for Shesha Lounge, First Floor, 137-139 Cheetham Hill Road, Manchester, M8 8LY** 5 - 58
The report of the Head of Planning, Building Control and Licensing is attached.

- 5. Application for a New Premises Licence for The Olive & Vine, Dimitris Didsbury, 844-846 Wilmslow Road, Manchester, M20 2RN.** 59 - 114
The report of the Head of Planning, Building Control and Licensing is attached.

- 6. Application for a Premises Licence Variation for Deansgate Food Bar, 343 Deansgate, Manchester, M3 4LG.** 115 - 176
The report of the Head of Planning, Building Control and Licensing is attached.

- 7. Application for a New Premises Licence for General Convenience Store, 374 & 374a Cheetham Hill Road, Manchester, M8 9LS** 177 - 298
The report of the Head of Planning, Building Control and Licencing is attached.

- 8. Application for a New Premises Licence for Pop Up Event Space and Screening Room, Level 1, Bonded Warehouse, 18 Lower Byrom Street, Manchester, M3 4AP.** 299 - 368
The report of the Head of Planning, Building Control and Licensing is attached.

9. **Application for a New Premises Licence for Event Space, Level 3, Bonded Warehouse, 18 Lower Byrom Street, Manchester, M3 4AP.** 369 - 442
The report of the Head of Planning, Building Control and Licensing is attached.
10. **Application for a New Premises Licence for Event Space, Level 6, Bonded Warehouse, 18 Lower Byrom Street, Manchester, M3 4AP.** 443 - 510
The report of the Head of Planning, Building Control and Licensing is attached.

Information about the Committee

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

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

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

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

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

Smoking is not allowed in Council buildings.

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

Further Information

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

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

This agenda was issued on **Friday, 1 March 2019** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA

**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 11 March 2019

Subject: Shesha Lounge, First Floor, 137-139 Cheetham Hill Road, Manchester, M8 8LY - (App ref: Premises Licence (new)224518)

Report of: Head of Planning, Building Control and Licensing

Summary

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

Recommendations

That the Panel determine the application.

Wards Affected:

Cheetham

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

A connected city: world class infrastructure and connectivity to drive growth	
---	--

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Name: Dave Skelly
Position: Technical Licensing Officer
Telephone: 0161 234 4915
E-mail:

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 14/01/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Shesha Lounge, First Floor, 137-139 Cheetham Hill Road, Manchester, M8 8LY in the Cheetham ward of Manchester. A location map and photograph 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 Shesha Lounge (MCR) Limited.
- 2.3 The description of the premises by the applicant is - Café/Restaurant
- 2.4 **The licensable activities applied for:**

Proposed hours and licensable activities:

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

Mon to Sun 11pm to 2am

Non standard timings:

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

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

Provision of late night refreshment:

Mon to Sun 11pm to 2am

Non standard timings:

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

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

Opening hours:

Mon to Sun 5pm to 2am

Non standard timings:

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

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

- 2.4.1 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.
- 2.4.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.
- 2.5 **Activities unsuitable for children**
- 2.5.1 The applicant has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
- 2.6 **Steps to promote the licensing objectives**
- 2.6.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.
- 2.6.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 4**.
3. **Relevant Representations**
- 3.1 A total of two 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;

3.2 Summary of the representations:

3.3

Party	Grounds of representation	Recommends
GMP	This representation has been made on the grounds of public nuisance, public safety and the prevention of crime and disorder due to the following reasons. The premises has allowed customers to smoke Shisha within the premises. Even with the shutters open, they would not 50% open to the elements. Previous visits have been made and the shutters were found to be closed. If shutters were to be open, this would then create a noise nuisance. Clips have been shown on You Tube, showing people smoking inside the premises with the shutters closed.	Refuse
Licensing and Out of Hours Compliance	This representation has been made on the grounds of public nuisance, public safety, the prevention of crime and disorder and the protection of children from harm, due to the following reasons. The premises has previously been trading as a Shisha venue, where HMRC has visited and confiscated tobacco for non-duty paid, also a member of staff has been arrested for being an illegal immigrant. LOOH staff visited the premises on the 18/12/18. They found that smoking was been taking place and staff were obstructive and would not allow them to enter. They also have concerns regarding noise and disturbance due to the location of residents in the nearby area. There are also concerns for the protection of children from harm, due to there already being a “children and toddlers” play area within the same buiding.	Refuse

3.4 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
- Proximity of takeaways and licences to nightlife entertainment areas
- 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
- The availability of transport to and from the premises
- Ability to clean and maintain the street scene
- Premises in proximity to the airport

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
- MS4 Prevent the use of illegal drugs, new psychoactive substances (NPS) and the spiking of drinks at the premises
- MS7 Maintain a safe capacity
- 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

Section 9: Alcohol delivery services

This section sets out specific provisions for alcohol delivery services to be considered in conjunction with relevant standards from Section 8 of the Policy

Section 10: Adult entertainment (including striptease, nudity and other entertainment of a sexual nature)

This section sets out specific considerations in respect of applications to provide adult entertainment, including entertainment of a sexual nature e.g. nudity, striptease and lap dancing.

Section 11: The use of tables and chairs on the public highway

This section provides that the operation of any areas on the public highway licensed for tables and chairs should be considered with regard to all relevant Standards set out in Section 8 of the Policy.

Section 12: Premises Licences for large-scale public events

This section sets out particular expectations regarding large scale public events, given the specific associated risks.

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.



Shesha Lounge
First Floor, 137-139 Cheetham Hill Road, Manchester,
M8 8LY



PREMISE NAME:	Shesha Lounge
PREMISE ADDRESS:	First Floor, 137-139 Cheetham Hill Road, Manchester, M8 8LY
WARD:	Cheetham
HEARING DATE:	11/03/2019

**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 Shesha Lounge (MCR) 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 1st Floor 137/139 Cheetham Hill Road			
Post town	Manchester	Postcode	M8 8LY
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£24,750.00	

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

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

(B) OTHER APPLICANTS

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

Name Shesha Lounge (MCR) Limited
Address 1 st Floor 137/139 Cheetham Hill Road Manchester M8 8LY
Registered number (where applicable) [REDACTED]
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
1	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)

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 checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

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

In all cases complete boxes K, L and M

A

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

B

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

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

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	02:00	<u>Please give further details here</u> (please read guidance note 4) Most of the Live music activities that will be carried out won't require authorisation due to The Live Music Act 2012 extending the range of live music performances that can take place without a licence under the 2003 Licensing Act. Predominantly, the main activity will be unamplified karaoke. However, on occasion there may be a limited live singing performance from a celebrity artist. Also, on occasion, there may be a DJ playing a set which consists mixing recorded music to create new sounds on his/her own equipment which may be amplified.	Both	<input type="checkbox"/>
Tue	23:00	02:00			
Wed	23:00	02:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5) None		
Thur	23:00	02:00			
Fri	23:00	02:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) <u>New Year:</u> From the start time on New Year's Eve to the terminal hour for New Year's Day <u>On the day British Summer Time commences :</u> one additional hour following the terminal hour		
Sat	23:00	02:00			
Sun	23:00	02:00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day				Start	Finish
				Outdoors	<input type="checkbox"/>
Mon	23:00	02:00	<u>Please give further details here</u> (please read guidance note 4) Background Music (unamplified)	Both	<input type="checkbox"/>
Tue	23:00	02:00			
Wed	23:00	02:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) None		
Thur	23:00	02:00			
Fri	23:00	02:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	23:00	02:00	<u>New Year:</u> From the start time on New Year's Eve to the terminal hour for New Year's Day		
Sun	23:00	02:00	<u>On the day British Summer Time commences</u> : one additional hour following the terminal hour		

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	02:00	Please give further details here (please read guidance note 4) Hot food and hot drink provided as and when required.	Both	<input type="checkbox"/>
Tue	23:00	02:00			
Wed	23:00	02:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5) None		
Thur	23:00	02:00			
Fri	23:00	02:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6) New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day On the day British Summer Time commences : one additional hour following the terminal hour		
Sat	23:00	02:00			
Sun	23:00	02:00			

J

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

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

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

□□□□

K

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

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day On the day British Summer Time commences : one additional hour following the terminal hour
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) None
Mon	17:00	02:00	
Tue	17:00	02:00	
Wed	17:00	02:00	
Thur	17:00	02:00	
Fri	17:00	02:00	
Sat	17:00	02:00	
Sun	17:00	02:00	

--	--	--	--

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)

1. There will be no supply or consumption of alcohol on the premises.
2. Substantial food and soft drinks (including water) shall be available throughout opening hours.
3. Staff training and effective management will ensure that there is no drinking or taking of any intoxicating substances on the premises.
4. Staff training and effective management will ensure that no intoxicated persons will be allowed to enter the premises.

b) The prevention of crime and disorder

1. An effective and adequate CCTV system equipped with a recording facility shall be installed, maintained and operated at the premises. Recorded images will be retained for 31 days.
2. Effective lighting shall be maintained and operated on all internal and external aspects of the premises
3. All staff and management shall be provided with adequate and suitable training to enable them to deal with incidents of disorder within the premises
4. The management shall conduct an ongoing risk assessment in relation to the search policy operated at the premises and if necessary an effective search policy shall be implemented to ensure that drugs and offensive weapons are not brought onto the premises by patrons
5. Known offenders or drug dealers will not be permitted on the licensed premises. Information regarding known offenders/drug dealers will be shared with other licensed premises within the area.
6. Any person found using drugs will be removed from the premises. Any person found to be dealing drugs will be detained and the police informed immediately. Drugs seized will be handed over to the police.
7. All staff and management shall be provided with adequate and suitable training in issues of drug awareness.

c) Public safety

1. Staff will be trained in first aid and emergency procedures. All training and incidents shall be recorded in writing.
2. Public liability insurance shall be maintained for the premises.
3. Fire fighting equipment shall be maintained and serviced according to the manufacturer's instructions
4. The capacity for the number of persons at the premises will be:
150 in the front seating area
300 in the rear seating area.
5. The management and staff will ensure that glasses are collected regularly. Regular inspections for broken glass will be made by staff and any broken glass found will be cleared away immediately by staff.
6. A safety plan shall be implemented that shall include fire safety.
7. An evacuation procedure which includes emergency exit from the premises by disabled customers shall be implemented at the premises and all staff shall be fully briefed in the procedure.
8. All staff shall be trained in how to handle emergencies.

9. The management and staff shall make regular checks to ensure the toilets are well maintained and clear of all spillages.
10. All staff shall be provided with adequate and suitable training to make them aware of the problems associated with the spiking of drinks and how to reduce the risks of the same.
11. Anyone who appears to be under the age of 18 will not be allowed access unless they are able to produce satisfactory "proof of age" that they are over the age of 18, such identification must be in the form of a recognised photographic identification card, such as a passport or photo card driving licence.

d) The prevention of public nuisance

1. The management and staff will ensure that the premises and the area immediately abutting the frontage of the premises are kept free from litter.
2. Management shall instruct staff to remind people to be quiet in the vicinity of the premises.
3. No external speakers shall be operated from the premises.
4. There shall be no activity on the outside area of the premises after 2230 on any night.
5. In the external areas of the premises drinking and eating shall only be permitted in clearly defined areas.
6. No collections of waste from the premises between 2300 and 0700 hours.
7. Refuse shall not be emptied into external receptacles between the hours of 2300 and 0700.
8. The licence holder shall ensure that any external lighting is not directed towards residential properties so as not to cause nuisance.
9. Sufficient extraction and ventilation systems shall be installed and maintained at the premises. Any extraction and ventilation systems operating from the premises must not produce noise so as to unreasonably disturb local residents

e) The protection of children from harm

1. Anyone who appears to be under the age of 18 will not be allowed access unless they are able to produce satisfactory "proof of age" that they are over the age of 18, such identification must be in the form of a recognised photographic identification card, such as a passport or photo card driving licence.

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.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	11 th December 2018
Capacity	Director

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
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

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.

GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	PC Alan Isherwood
Address including postcode	1 st Floor Manchester Town Hall Extension Lloyd Street Manchester
Contact Email Address	alan.isherwood@gmp.police.uk
Contact Telephone Number	0161 856 6017

About the Premises

Application Reference No.	LPA 224518
Name of the Premises	Shesha Lounge
Address of the premises including postcode	First Floor, 137-139 Cheetham Hill Road, Manchester M8 8LY

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, Public Safety and the Prevention of Public Nuisance.

The applicant Mr Jawad Butt has been involved with these premises for at least 12 years as there is an article in the Manchester Evening News from 2007 regarding him opening the premises.

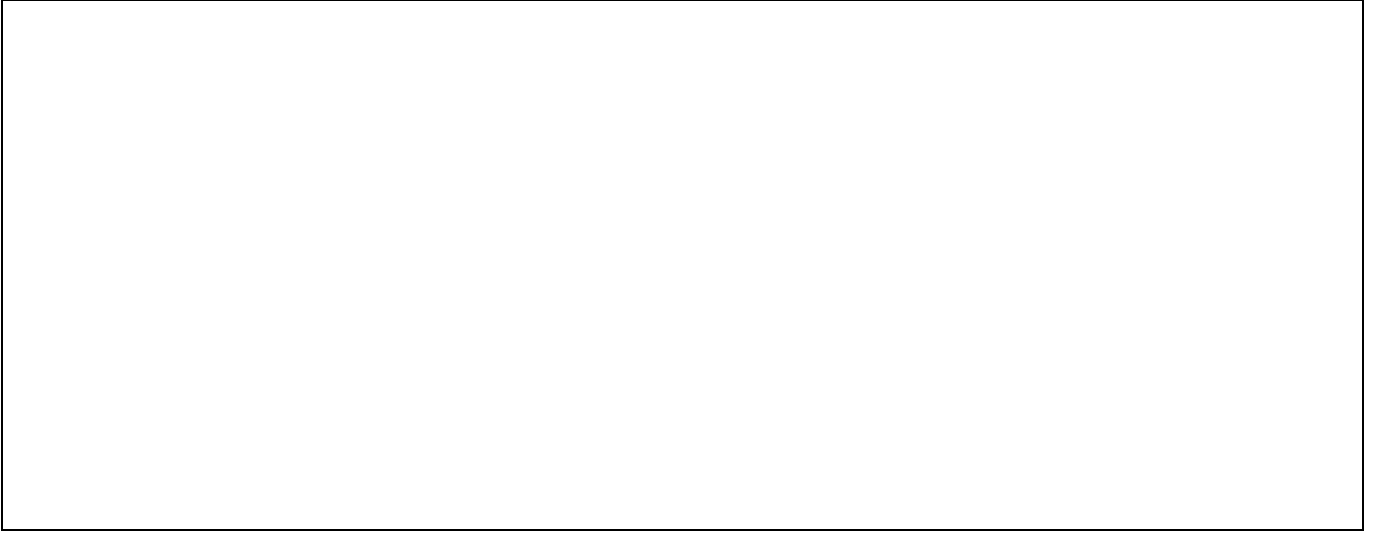
The applicant has allowed customers to smoke Shisha inside the premises which are not 50% open to the elements. The premises has large shutters in the 2 main walls which open to allow fresh air into the premises but even with these fully open it would not be 50% open. On previous visits to the premises by GMP and Manchester City council the shutters were found to be closed.

If the shutters were open when the regulated entertainment was taking place this could also cause a noise nuisance.

There are videos clips on YouTube showing customers smoking Shisha inside the premises with the shutters fully closed and GMP will show these at the hearing.

Therefore the applicant would clearly be undermining the licensing objectives of the Prevention of Crime and Disorder, Public Safety and potentially the Prevention of Public Nuisance.

We therefore ask that this application is refused.





**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details	
Application Ref No	224518
Name of Premises	Shesha Lounge
Address	First Floor, 137-139 Cheetham Hill Road, Manchester, M8 8LY

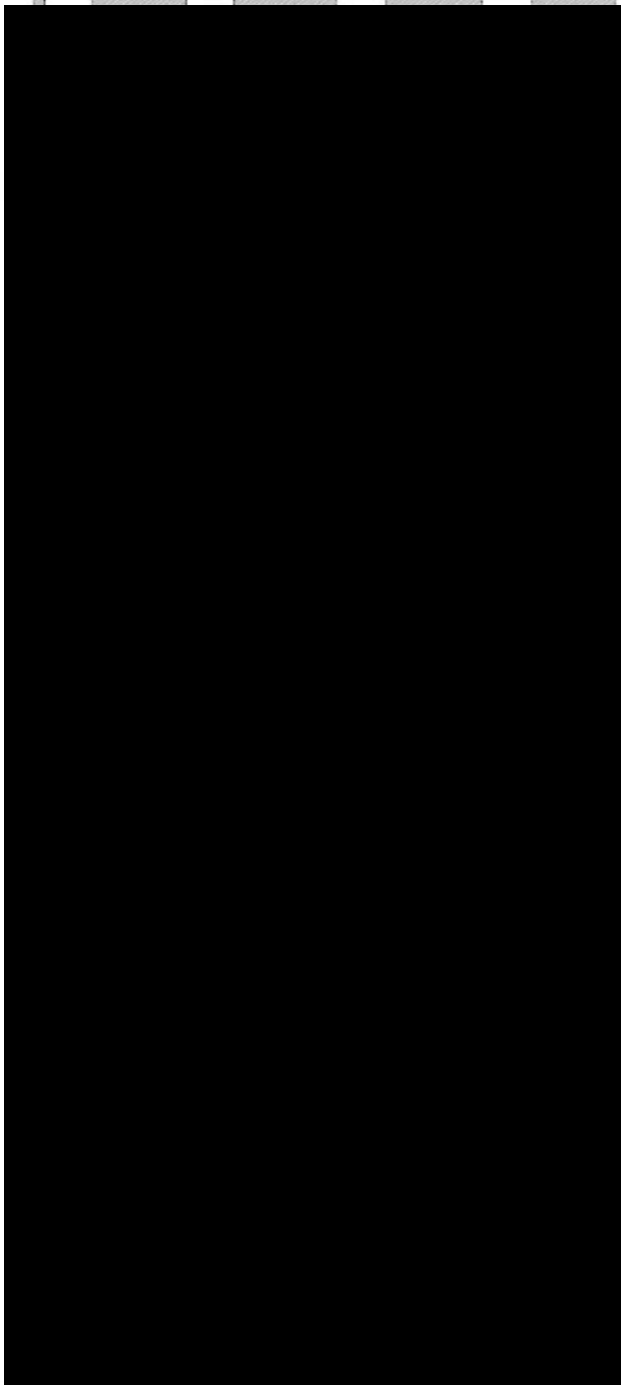
Representation
<p>Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.</p> <p>The Licensing and Out of Hours Team (LOOH) have assessed the likely impact of the grant of this application taking into account a number of factors, including the nature of the area, hours applied for and any potential risk that the granting of the licence could lead to issues of crime and disorder, public nuisance, public safety and the protection of children from harm. All of the comments below have been made in consideration of Manchester City Council's Statement of Licensing Policy (SOLP) 2016 -2021.</p> <p>Paragraph 7.25 of Manchester City Council's Statement of Licensing Policy (SOLP) 2016 - 2021 provides that: Where its discretion is engaged, the licensing authority will ensure that due consideration is given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises, to ensure they are located in a position that does not adversely affect their ability to ensure the promotion of the licensing objectives. The potential impact on any local residents will be an important matter for consideration.</p> <p>As a result of the assessment carried out for this application, the Licensing and Out of Hours team have concerns that the application and the proposed conditions in the operating schedule are not enough to uphold the four licensing objectives.</p> <p>The applicant has applied to operate Monday to Sunday from 1700hrs to 0200hrs (Monday morning) and to serve hot food and drink refreshments, the provision of live and recorded music after 2300hrs. The location of the premises is shown below:</p>



The premises is currently operating under the name of Shesha Lounge and the premises are conducting activities that are in breach of the Health Act 2006 by allowing patrons to smoke tobacco products in an enclosed area that is below the required 50%. According to site visits carried out by the licensing compliance officers and building plans, there is no outside area where the use of shish pipes may be permitted.

The premises is located on Cheetham Hill road, the buildings consists of several floors. The ground floor is a business called Monolos which is a children's play area and café. The first floor is where Shesha Lounge is located and a residential flat on the top floor. The building has two entrances to the two businesses which shares a single outdoor area to gain access (See outline plans below).

Front Floor Restaurant/Cafe Bar



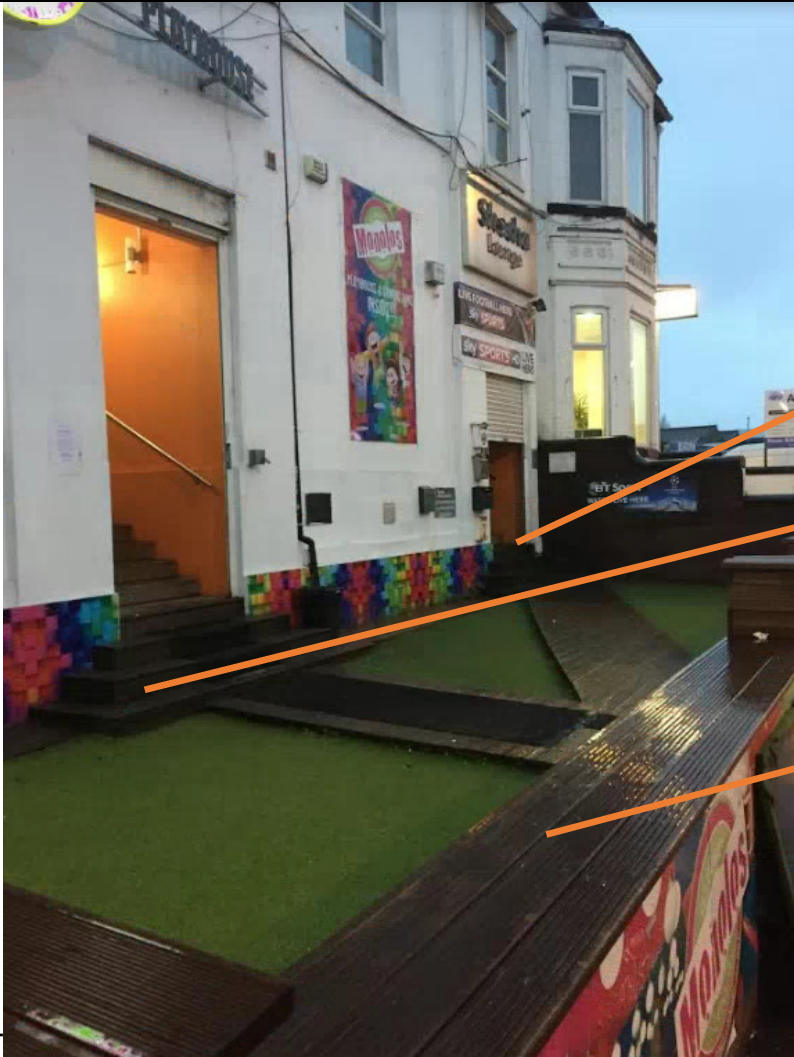
Fire Protection Legend

- CCTV Camera
- Fire Risk Door
- Fire Door 30 min rating
- Fire Door 60 min rating
- Smoke Detector
- Heat Detector
- Fire Alarm Call Point
- Alarm Sounder
- Call Point
- Dry CO2 and Wet Water
- Fire Alarm

Site @ 137-139 Cheetham Road
 Manchester
 Mr. Jawad
 Floor Layout Plan

NA-01

1200
 1200
 1:0762 859 2400
 e: info@na-fire.com

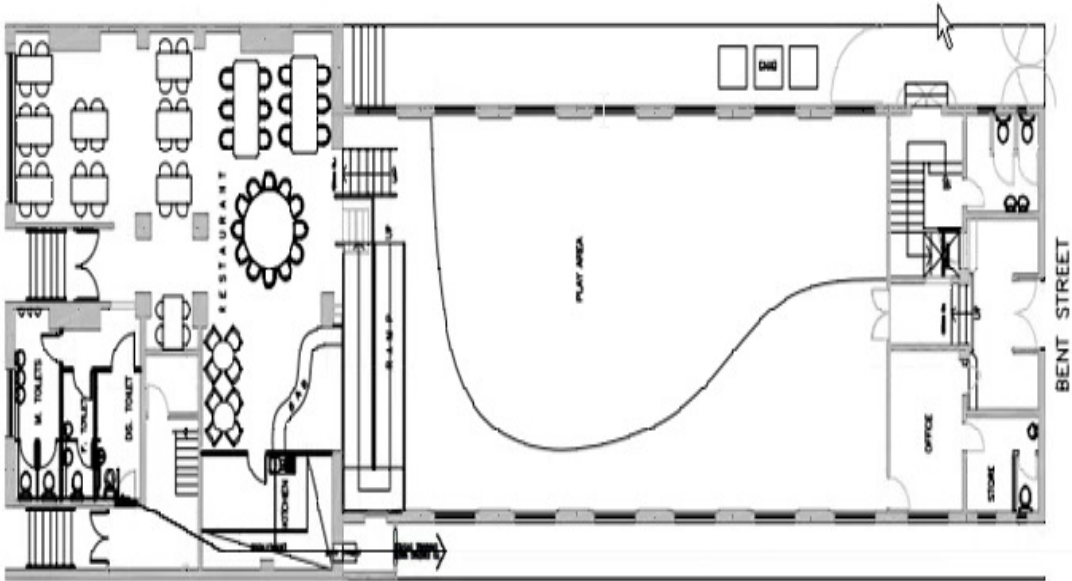


Shesha Lounge
Entrance

Monolos Entrance

Shared Entrance to
both businesses

T



Monolos is a children's play area and café. The LOOH team have concerns that an establishment of this type and the people, it may attract may pose a risk to children. Monolos is open from 1400hrs – 2300hrs Monday – Sunday which will be open during the requested hours of shesha lounge.

The use of sheisha pipes also poses a fire risk due to the hot coals used in the smoking process. As stated above, the building forms multiple businesses one of which consist of a children and toddlers play area.

Manchester City Council's SOLP sets out the following standards (MS11) that applicants need to consider in relation to protecting children from harm when making an application for a premises: Regard should be had to specific risks that may arise when children are on the premises. The risk assessment should be documented and available for inspection by the responsible authorities upon request. Special consideration is expected to be given to promoted events in licensed premises aimed at, or likely to attract, persons under 18. The licensing authority expects robust measures to be in place to address potential risks associated with such an activity. The applicant has not provided sufficient measures in the operating schedule of the application to protect the children from harm.

The area also consists of residential properties and flats of which one is located above the business (Please see below photograph). The provision of regulated entertainment of live and recorded music may potentially pose a public nuisance. The business has requested to play live and recorded music from 1700hrs – 0200hrs Monday to Sunday. In the application it is stated that the capacity will be limited to 450 people. There is no mention in the operating schedule of the application of registered door staff or how they will manage dispersal when the premises closes. This amount of people exiting the establishment at 0200hrs especially on weekday mornings will pose a statutory nuisance for residents in the surrounding area.



Visits and observation to Shesha Lounge**2nd December 2019 – 13:05**

shutters halfway down, nobody present. Officers spoke to neighbouring premise. They stated the business were owned by the same person 'Harry' surname not known. He stated shisha premise does not open until 17.00. Officers advised to inform the management at the shisha premise that they cannot service LNR as licence has lapsed.

18th December 2018 22:20

Officers rang the buzzer 3 times, entrance covered by CCTV. No answer

Officers visited neighbouring business as on a previous visit I was told they had the same owner. Other premises stated they were not owned by the same owner, therefore received contradicting information.

Officers returned to Shesha Lounge and rang the buzzer a couple more times, a male then opened the door and stated the buzzer was 'dodgy' despite us hearing it ring. He said he was the manager and called Najjam Butt he said he did not know the owners name or address. Officers could smell shisha went entered the premise but were advised there were no customers.

However when officers initially tried the buzzer we could hear music and people. I explained the Health Act 2006 re smoking in an enclosed space he said they are 50% open but that he could not show me as the shutters to that space where broken. Mr Butt then gave me a lengthy explanation regarding the broken shutters.

Officers left the premises. At the side of the building officers could see the upstairs of the premise to be occupied by people, multi coloured lights in use and the atmosphere appeared to be Smokey. Officers took a photograph. The shutters then came down over the windows. Officers believe It may have been captured making observations on their cctv.

**18th January 2019 – 22:31**

Officers witnessed twenty – twenty five customers smoking on the premises. The area in which these customers were smoking was substantially enclosed and were committing offences under Section 7 of the Act. Within the premises no smoking signs were present.

The manger claims that these openings have been calculated by an architect in line with planning enforcement. At the time of the visit on each of the openings the shutters were closed.

I asked to speak to the responsible person in charge. I was greeted by the manager of the premises Mr. Jawad Butt was present, who I recognised from a previous visit in which his application for a premises licence was discussed. I asked Mr. Butt why the shutters were closed on the premises. Mr. Butt stated that they were half closed as the weather outside was bad and caused issues to the premises. I stated to Mr. Butt that the shutters were fully down, and as a result of this the premises is now in breach of the health act. As officers were present the shutters

to the premises were opened.

I explained to Mr. Butt that under Section 7 of the Health Act 2006 it is an offence to smoke within an enclosed space. I also advised that as he was the responsible person in charge under Section 8 of the Health Act 2006 the responsible person is required to prevent this from occurring and failure to do so could lead to prosecution. Furthermore I added that instances like tonight will likely hinder the chances of application being granted for a premises licence.

20th January 2018 – 22:00

Manager advised they have had the shutters open all day. One shutter was closed with the remaining 5 open. Approx. 20 people inside, witnessed 4 pipes in use.

25th January 2018 - 19:15

On entering the main bar area only one of the shutters was open with the remaining 5 fully closed. On the elevated area 4 people and 2 lit pipes were witnessed.

Officers informed Mr Butt that I was issuing him with a warning letter and informed him that he was in breach of the Health Act by allowing people to smoke within an enclosed area. He informed me that due to the weather he had closed some of the shutters as customers were leaving due to the cold weather.

Mr Butt was again advised that he must keep all the shutters open and even with the shutters open it may not be compliant and further visits will be conducted. I also informed Mr Butt that he is not assisting his application for LNR as if he can not comply with officers requests in relation to keeping the shutters open then we do not have confidence that will uphold the licensing objectives if granted LNR.

Mr Butt stated he understood and was trying to be compliant but it was effecting his business.

Mr Butt was advised that random visits would be conducted and was happy with this and understood our concerns.

26th January 2018

Premises was visited - all windows were fully open in the main lounge area - there was a shisha pipe in use with hot coals and 4 males all smoking from the shisha pipe.

Officers spoke with the manager of the premises and further advised him regarding the Health Act and the importance of having the windows fully open while shisha is being used.

The manager stated that the windows have been open every day and showed us evidence of rain damage on the seats within the lounge.

27th January 2018 - 22:25

Officers Spoke with the owner Javad. There were 7 tables all with a number of people on up on the raised canopy with hot coals and shisha being smoked. All the side windows were fully open at the time of the visit, with water patches near the side indicating they had been open for some time. We again reiterated the importance of adhering to The Health Act.

29th January 2018 - 21:50

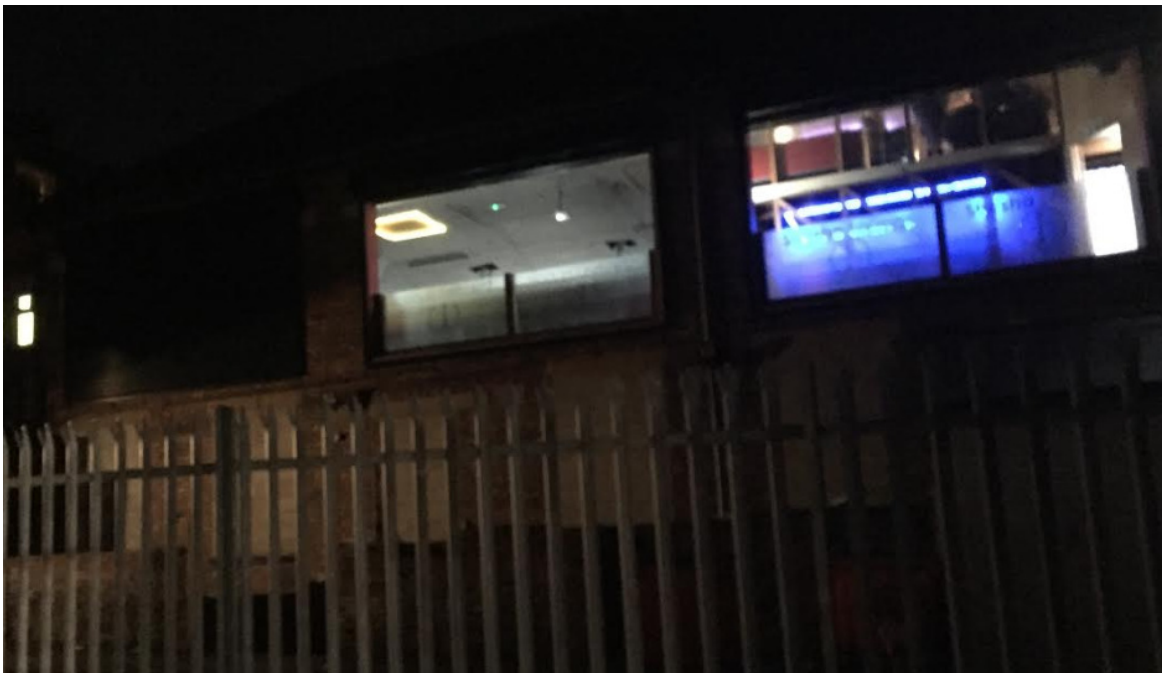
Internal Visit, spoke to a customer who presented himself to officers when we arrived. He was fully aware of why we had visited and was compliant with officer and confirmed Mr Butt was aware the shutters needed to remain open. I noticed 4 of the 6 shutters were fully open. Staff stated the two shutters were not working.

29th January 2018 – 00:50

4 of the 6 shutters were open.

30th January 2018 – 23:30

4 of the 6 shutters were open.





The LOOH team feels that due to this and the lack of compliance with Manchester City Council Officers that the applicant will not be able to manage the premises effectively to promote the licensing objectives under the Licensing Act 2003.

As a result of this assessment we have concerns that the grant of this application is likely to lead to issues of crime and disorder, public safety, public nuisance and protection of children from harm. These concerns are also specifically that the grant of this license is likely to lead to public nuisance in the way of noise issues from the premises to local residents in nearby domestic dwellings from customers arriving in vehicles and customers entering and leaving the premises late at night. There are domestic dwellings/apartments opposite the premises and also flats above the adjacent premises, we have further concerns that under the public safety element of the licensing objectives, Officers within the team have witnessed breaches of the Health Act 2006.

Our view is that the application is a way of allowing the applicant permission to open late at night which would allow it to operate as a Shisha café.

The applicant offers no evidence in the operating schedule to show how he will promote the four licensing objectives within Section M of the application, specifically the Prevention of Public Nuisance, Public Safety and protection of children from harm, as noted above.

We therefore recommend that the application is refused in order to prevent the problems described above.

Recommendation: Refuse Application

This page is intentionally left blank

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. There will be no supply or consumption of alcohol on the premises. 2. Substantial food and soft drinks (including water) shall be available throughout opening hours. 3. Staff training and effective management will ensure that there is no drinking or taking of any intoxicating substances on the premises. 4. Staff training and effective management will ensure that no intoxicated persons will be allowed to enter the premises. 5. An effective and adequate CCTV system equipped with a recording facility shall be installed, maintained and operated at the premises. Recorded images will be retained for 31 days. 6. Effective lighting shall be maintained and operated on all internal and external aspects of the premises 7. All staff and management shall be provided with adequate and suitable training to enable them to deal with incidents of disorder within the premises 8. The management shall conduct an ongoing risk assessment in relation to the search policy operated at the premises and if necessary an effective search policy shall be implemented to ensure that drugs and offensive weapons are not brought onto the premises by patrons 9. Known offenders or drug dealers will not be permitted on the licensed premises. Information regarding known offenders/drug dealers will be shared with other licensed premises within the area. 10. Any person found using drugs will be removed from the premises. Any person found to be dealing drugs will be detained and the police informed immediately. Drugs seized will be handed over to the police. 11. All staff and management shall be provided with adequate and suitable training in issues of drug awareness. 12. Staff will be trained in first aid and emergency procedures. All training and incidents shall be recorded in writing. 13. Public liability insurance shall be maintained for the premises. 14. Fire fighting equipment shall be maintained and serviced according to the manufacturer's instructions 15. The capacity for the number of persons at the premises will be: 	N/A	Applicant

Schedule of Licence Conditions

<p>150 in the front seating area 300 in the rear seating area.</p> <ol style="list-style-type: none"> 16. The management and staff will ensure that glasses are collected regularly. Regular inspections for broken glass will be made by staff and any broken glass found will be cleared away immediately by staff. 17. A safety plan shall be implemented that shall include fire safety. 18. An evacuation procedure which includes emergency exit from the premises by disabled customers shall be implemented at the premises and all staff shall be fully briefed in the procedure. 19. All staff shall be trained in how to handle emergencies 20. The management and staff shall make regular checks to ensure the toilets are well maintained and clear of all spillages. 21. All staff shall be provided with adequate and suitable training to make them aware of the problems associated with the spiking of drinks and how to reduce the risks of the same. 22. Anyone who appears to be under the age of 18 will not be allowed access unless they are able to produce satisfactory "proof of age" that they are over the age of 18, such identification must be in the form of a recognised photographic identification card, such as a passport or photo card driving licence. 23. The management and staff will ensure that the premises and the area immediately abutting the frontage of the premises are kept free from litter. 24. Management shall instruct staff to remind people to be quiet in the vicinity of the premises. 25. No external speakers shall be operated from the premises. 26. There shall be no activity on the outside area of the premises after 2230 on any night. 27. In the external areas of the premises drinking and eating shall only be permitted in clearly defined areas. 28. No collections of waste from the premises between 2300 and 0700 hours. 29. Refuse shall not be emptied into external receptacles between the hours of 2300 and 0700. 30. The licence holder shall ensure that any external lighting is not directed towards residential properties so as not to cause nuisance. 		
---	--	--

Schedule of Licence Conditions

<p>31. Sufficient extraction and ventilation systems shall be installed and maintained at the premises. Any extraction and ventilation systems operating from the premises must not produce noise so as to unreasonably disturb local residents</p> <p>32. Anyone who appears to be under the age of 18 will not be allowed access unless they are able to produce satisfactory "proof of age" that they are over the age of 18, such identification must be in the form of a recognised photographic identification card, such as a passport or photo card driving licence.</p>		
Conditions proposed by objectors	Agreed	Proposed by
None, proposed to refuse application.	N/A	GMP
None, proposed to refuse application.	N/A	Licensing and Out of Hours

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 11 March 2019

Subject: The Olive and Vine, Dimitris Didsbury, 844-846 Wilmslow Road, Manchester, M20 2RN - (App ref: Premises Licence (new)226084)

Report of: Head of Planning, Building Control and Licensing

Summary

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

Recommendations

That the Panel determine the application.

Wards Affected:

Didsbury West

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

A connected city: world class infrastructure and connectivity to drive growth	
---	--

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Name: David Skelly
Position: Technical Licensing Officer
Telephone: 0161 234 4139
E-mail: D.Skelly@manchester.gov.uk

Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 25/01/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of The Olive and Vine, Dimitris Didsbury, 844-846 Wilmslow Road, Manchester, M20 2RN in the Didsbury West ward of Manchester. A location map and photograph 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 Griliopoulos Independent Trading Services Limited.
- 2.3 The description of the premises as given by the applicant is as follows:

Restaurant and Bar.

The premises currently have the benefit of premises licence number 051150. On the grant of this application and completion of the works the existing licence will be surrendered.

- 2.4 The proposed designated premises supervisor is Dimitri Griliopoulos

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

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

Mon to Thu 10am to 1am

Fri to Sat 10am to 2am

Sun 10am to 1am

Non-standard timings

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

An additional hour on the day British Standard Time commences to dis-apply its effect

Provision of late night refreshment:

Mon to Thu 11pm to 1.30am

Fri to Sat 11pm to 2.30am

Sun 11pm to 1.30am

Non-standard timings

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

An additional hour on the day British Standard Time commences to dis-apply its effect

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

Mon to Thu 10am to 1am

Fri to Sat 10am to 2am

Sun 10am to 1am

Non-standard timings

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

An additional hour on the day British Standard Time commences to dis-apply its effect

Opening hours:

Mon to Thu 10am to 1.30am

Fri to Sat 10am to 2.30am

Sun 10am to 1.30am

Non-standard timings

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

An additional hour on the day British Standard Time commences to dis-apply its effect

- 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**.

2.8 **Further documentation accompanying the application**

2.8.1 The applicant has submitted the following documents in support of their application, which are included with the application form at **Appendix 2**:

- Smoking Policy
- Dispersal Policy

3. **Relevant Representations**

3.1 A total of seven 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 (**Appendix 5**)

Other Persons:

- Resident (x1) in support of the application
- Didsbury East Ward Councillor (x1) objecting to the application
- Residents (x5) objecting to the application

3.2 Summary of the representations

Party	Grounds of representation	Recommends
Resident (x1) in support of application	This resident states that they are in support of the application as they state that the granting of the licence will positively affect the local area and community by way of regenerating the high street and providing a local venue for residents. This resident states that the local area has very few bars and so residents have to travel to other areas of the city to socialise. They also believe that the	approve

	granting of this licence will not adversely affect residents or cause any particular social issues.	
Councillor (x1)	Councillor 1 objects to the granting of this licence based on the grounds of preventing public nuisance. They state that the proposed operating hours are later than any other establishment in the vicinity of the premises and the granting of the licence will negatively impact local residents.	
Residents (x5)	<p>Residents have objected to the application on the grounds that they believe the granting of the licence will adversely affect local residents. Residents believe that the granting of the licence will lead to an increase in anti-social behaviours such as drug taking, car crime and an increase in noise pollution. They also state that it will negatively affect the ambience of the immediate surroundings.</p> <p>Residents also object on the grounds that the granting of the licence will adversely affect children due to the level of noise from the premises. Residents state that the premises is near a primary school.</p>	refuse

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:
- Evidence of pre-existing problems in the area
- Proximity of takeaways and licences to nightlife entertainment areas
- 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
- The availability of transport to and from the 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
- 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
- MS7 Maintain a safe capacity
- MS8 Prevent noise nuisance from the premises
- 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

Section 9: Alcohol delivery services

This section sets out specific provisions for alcohol delivery services to be considered in conjunction with relevant standards from Section 8 of the Policy

Section 10: Adult entertainment (including striptease, nudity and other entertainment of a sexual nature)

This section sets out specific considerations in respect of applications to provide adult entertainment, including entertainment of a sexual nature e.g. nudity, striptease and lap dancing.

Section 11: The use of tables and chairs on the public highway

This section provides that the operation of any areas on the public highway licensed for tables and chairs should be considered with regard to all relevant Standards set out in Section 8 of the Policy.

Section 12: Premises Licences for large-scale public events

This section sets out particular expectations regarding large scale public events, given the specific associated risks.

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.

This page is intentionally left blank



PREMISE NAME:	The Olive & Vine
PREMISE ADDRESS:	Dimitris Didsbury, 844-846 Wilmslow Road, Manchester, M20 2RN
WARD:	Didsbury West
HEARING DATE:	11/03/2019

This page is intentionally left blank

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Grioliopoulos Independent Trading Services 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 Olive and Vine 844-846 Wilmslow Road			
Post town	Manchester	Postcode	M20 2RN
Telephone number at premises (if any)		To be advised	
Non-domestic rateable value of premises		£51,500	

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

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

(B) OTHER APPLICANTS

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

Name Griliopoulos Independent Trading Services Limited
Address 13-15 Brewery Yard Deva City Office Park Trinity Way Salford M3 7BB
Registered number (where applicable) 03257749
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited 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			
2	3	0	2	2	0	1	9

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)

Restaurant and bar.

The premises currently has the benefit of premises licence number 051150. On the grant of this application and completion of the works the existing licence will be surrendered.

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 checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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



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



In all cases complete boxes K, L and M

A

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

B

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

D

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

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	10:00	01:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	10:00	01:00			
Wed	10:00	01:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	10:00	01:00			
Fri	10:00	02:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sat	10:00	02:00			
Sun	10:00	01:00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon	10:00	01:00		<u>Please give further details here</u> (please read guidance note 4)	
Tue	10:00	01:00			
Wed	10:00	01:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	10:00	01:00			
Fri	10:00	02:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sat	10:00	02:00			
Sun	10:00	01:00			

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23:00	01:30	<u>Please give further details here</u> (please read guidance note 4)		
Tue	23:00	01:30			
Wed	23:00	01:30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23:00	01:30			
Fri	23:00	02:30	<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> (please read guidance note 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour on the day British Standard Time commences to dis-apply its effect		
Sat	23:00	02:30			
Sun	23:00	01:30			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	01:00			
Tue	10:00	01:00			
Wed	10:00	01:00			
Thur	10:00	01:00			
Fri	10:00	02:00			
Sat	10:00	02:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
			An additional hour on the day British Standard Time commences to dis-apply its effect		
Sun	10:00	01:00			

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 Dimitri Griliopoulos	
Date of birth	
Address [REDACTED]	
Postcode	SK2 6QU
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) Stockport Metropolitan Borough 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).
N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	10:00	01:30	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>An additional hour on the day British Standard Time commences to dis-apply its effect</p>
Tue	10:00	01:30	
Wed	10:00	01:30	
Thur	10:00	01:30	
Fri	10:00	02:30	
Sat	10:00	02:30	
Sun	10:00	01:30	

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

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

Please see the attached operating schedule and policies.

b) The prevention of crime and disorder

Please see the attached operating schedule and policies.

c) Public safety

Please see the attached operating schedule and policies.

d) The prevention of public nuisance

Please see the attached operating schedule and policies.

e) The protection of children from harm

Please see the attached operating schedule and policies.

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.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	Kuit Steinart Levy LLP
Date	25 January 2019
Capacity	Solicitors and authorised agents

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Kuit Steinart Levy LLP 3 St Marys Parsonage			
Post town	Manchester	Postcode	M3 2RD
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

- 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:

OPERATING SCHEDULE

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

A) The Prevention of Crime and Disorder

1. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.
2. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
3. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
4. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
5. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment, to be carried out by the DPS. When employed, door staff will wear high visibility armbands.
6. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - (i) the number of door staff on duty;
 - (ii) the identity of each member of door staff;
 - (iii) the times the door staff are on duty.
7. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.
8. Staff will be trained in the laws relating to under age sales, and that training shall be documented and repeated at 6 monthly intervals.
9. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.

B) Public Safety

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

C) The Prevention of Public Nuisance

1. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
3. The exterior of the building shall be cleared of litter at regular intervals.

4. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
5. Doors and windows at the premises are to remain closed after 11pm, save for access and egress.
6. A Dispersal and Smoking Policy will be implemented and adhered to (see attached).
7. The emptying of bins into skips, and refuse collections will not take place between 11pm and 7am.

D) The Protection of Children From Harm

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

SMOKING & AL FRESCO DINING POLICY

1. Any outside area used by customers wishing to dine, drink or smoke shall be clearly delineated and covered by the CCTV system which will be installed at the premises.
2. The outside area shall be monitored by staff or door staff at all times it is in use
3. The area will be cleaned regularly
4. Suitable receptacles shall be provided for smokers to dispose of cigarette butts.
5. Signs will be displayed in the area requesting customers keep noise to a minimum.
6. Patrons who disregard signage and verbal instructions regarding noise will be asked to move inside and/or leave the premises.
7. Open containers of alcohol shall not be permitted to be taken beyond the boundary of the outside area
8. Customers shall not be permitted to take drinks outside for consumption in the external area after 11pm
9. Tables and chairs shall be stacked away and/or covered to render the unusable after 11pm
10. After 11pm only 20 smokers may be permitted to use the external area at any one time.

DISPERSAL POLICY

The purpose of this Dispersal Policy is to ensure, so far as it is possible, that minimum disturbance or nuisance is caused to our neighbours and to ensure that the operation of the premises makes the minimum impact upon the neighbourhood in relation to potential nuisance and anti-social behaviour.

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

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

This page is intentionally left blank

Representation in support of application

From: [REDACTED] >

Date: Sun, 10 Feb 2019 at 19:29

Subject: Ref: 226084/DS7 Olive and Vine

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

I am writing to express support for the application for new extended licensing hours for Olive and Vine, Didsbury.

Didsbury Village has very few bars with extended hours and people are often forced to travel to west didsbury or the city centre for a drink. It would be nice for residents to be able to have a venue which is open slightly later in Didsbury Village.

I live at [REDACTED] and have never witnessed any noise or social problems outside this venue with its current hours. I do not believe that a small extension to these will have any difference to this or cause any particular social issues.

This is good for local business - didsbury high street is struggling with a number of empty units and it is important that the council grant business the opportunity to be profitable and be able to be part of the local community and pay their way with council tax etc.

Yours sincerely

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Councillor 1

Please can I register my objection to the proposed licensing application at Olive and Vine in Didsbury.

Premises Licence (new) 226084/DS7: The Olive & Vine, Dimitris Didsbury, 844-846 Wilmslow Road, Manchester, M20 2RN, (Didsbury West ward

This is on the grounds of preventing a public nuisance. The proposed operating hours are significantly later at night than are currently operated by any establishment in that vicinity and nearby residents will be impacted.

Please let me know when this goes to the Committee for consideration as I would like to be there to speak to the proposal.

Thank you.

[Redacted]

[Redacted]

Labour Member for Didsbury East

Telephone: [Redacted]

E mail: [Redacted]

[Redacted]

[Redacted]

Resident 1

[REDACTED]

From: [REDACTED]

Date: Fri, 8 Feb 2019 at 18:01

Subject: Planning application 226084/DS7 Olive And Vine Dimitris Didsbury

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

Sirs

We object in the strongest possible terms to the application to extend the license as it will cause

-potential crime and disorder

-potential public nuisance

- public safety - this is a high crime area and this could be exacerbated by alcohol.

My property is [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Resident 2

From: [REDACTED]

Date: Mon, 11 Feb 2019 at 10:48

Subject: Olive and Vine license extension

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

Ref: new license application 226084/DS7 - Olive And Vine - Dimitris Didsbury.

I have read about this via a private Facebook group, we are concerned as we live on [REDACTED]
[REDACTED]

We have concerns about the extension of the licensing hours. Extending the hours of drinking will lead to the likelihood of public nuisance and crime.

There are already problems with people taking drugs in the church yard and car crime, we are keen that these problems are not perpetuated.

As residents in close proximity, the following are the grounds we are objecting against :

- prevention of crime and order
- prevention of public nuisance
- public safety

Regards

[REDACTED]

[REDACTED]

Resident 3

From: [REDACTED]

Date: Tue, 12 Feb 2019 at 11:45

Subject: New License application 226084/DS7 - Olive And Vine - Dimitris Didsbur

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

Hi

I write with reference to the application made above for Olive & Vine to increase their opening hours.

I have real concerns about this as Im [REDACTED]. [REDACTED]
[REDACTED]

I have concerns as it will cause a serious public nuisance with it being open until 1.00am during the week as I have a young child aged 9. The noise levels from people coming out will cause serious issues as we will be able to see them and hear them from our bedrooms.

Im also aware that our neighbours have even younger children and as such this will cause them serious issues with clientele leaving at 1am.

There will be a lot of noise with taxis arriving to pick up clientele from Olive & Vine as such will keep us up with noise from the cars and constant beeping by taxis.

Im also concerned that there is a primary school right next door to Olive & Vine and as such I can imagine there will be a lot of mess created by individuals leaving late which will be .

Overall Im very concerned that the two pubs are open till 11am and then with Olive & Vine being open till 1am this will cause major nuisances and noises levels for families across [REDACTED] estate.

I request that you decline this application.

Kind regards

[REDACTED]

Managing Director

UK Mobile: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Resident 4

[REDACTED] >
Date: Mon, 28 Jan 2019 at 18:46
Subject: Re: Premises Licence (new) 226084/DS7: The Olive & Vine, Dimitris Didsbury, 844-846 Wilmslow Road, Manchester, M20 2RN, (Didsbury West ward)
To: Premises Licensing <premises.licensing@manchester.gov.uk>
Cc: <[REDACTED]> >,
[REDACTED]

Dear sir, madam,

I wish to object to the application made by The Olive and Vine, Dimitris Didsbury for music licence and extended sale of alcohol on the basis of public nuisance -

1. Other restaurants and bars within Didsbury West have licensing to 1 am only. Once this time is breached by one premise then it will be allowed in others
2. The premise is adjacent to residential properties. The noise will be disruptive.
3. The premises is adjacent to the award winning Old Parsonage Gardens and a church/ graveyard. Any music would disturb the peaceful nature of both sites.

Regards

[REDACTED]

Resident 5

[REDACTED]
Date: Sat, 16 Feb 2019 at 22:49
Subject: Ref: new license application 226084/DS7
To: <premises.licensing@manchester.gov.uk>

To whom it may concern,

As a resident [REDACTED], I am writing to strenuously object to the new license application 226084/DS7 - Olive And Vine - Dimitris Didsbury on the following grounds.

- 1 -The prevention of crime and order.
- 2-The prevention of public nuisance.
- 3-Public safety
- 4-The protection of children from harm.

I hope this will taken into consideration,

Thank you.

Kind regards,

[REDACTED]

--

This page is intentionally left blank

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Staff shall be trained in the requirements of the Licensing Act 2003 with regard to the Licensing Objectives. 2. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally. 3. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request. 4. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player. 5. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request. 6. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment, to be carried out by the DPS. When employed, door staff will wear high visibility armbands. 7. When employed, a register of those door staff employed shall be maintained at the premises and shall include: <ol style="list-style-type: none"> (i) the number of door staff on duty; (ii) the identity of each member of door staff; (iii) the times the door staff are on duty. 1. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area. 2. Staff will be trained in the laws relating to under age sales, and that training shall be documented and repeated at 6 monthly intervals. 3. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request. 4. A first aid box will be available at the premises at all times. Regular safety checks shall be carried out by staff. 5. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations. 6. The premises shall maintain an Incident Log and public liability insurance. 7. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises. 8. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. The exterior of the building shall be cleared of 	N/A	Applicant

Schedule of Licence Conditions

<p>litter at regular intervals</p> <p>9. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.</p> <p>10. Doors and windows at the premises are to remain closed after 11pm, save for access and egress.</p> <p>11. A Dispersal and Smoking Policy will be implemented and adhered to (see attached).</p> <p>12. The emptying of bins into skips, and refuse collections will not take place between 11pm and 7am.</p> <p>13. A "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only acceptable forms of ID are photographic driving licences, passports, HM forces warrant cards, EU/EEA national ID card or similar document or a form of identification with the "PASS" hologram.</p> <p>14. Staff training will include the Challenge 21 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.</p> <p>15. Notices advising what forms of ID are acceptable must be displayed.</p> <p>16. Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.</p>		
<p>No conditions have been proposed by the objectors</p>		

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

Document is Restricted

This page is intentionally left blank

**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 11 March 2019

Subject: Deansgate Food Bar, 343 Deansgate, Manchester, M3 4LG - (App ref: Premises Licence variation 225918)

Report of: Head of Planning, Building Control and Licensing

Summary

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

Recommendations

That the Committee determine the application.

Wards Affected:

Deansgate

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

A connected city: world class infrastructure and connectivity to drive growth	
---	--

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

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

Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 23/01/2019, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of Deansgate Food Bar, 343 Deansgate, Manchester, M3 4LG in the Deansgate ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. Current Licence

- 2.1 The premises licence holder is Stephen Howard and a copy of the current licence is attached at **Appendix 2**.

3. The Application

- 3.1 A copy of the application is attached at **Appendix 3**.
- 3.2 The variation is to extend the hours for the provision of late night refreshment:

Current hours: Mon to Wed 11pm to 12midnight
Proposed hours: Mon to Wed 11pm to 2am

Opening hours:
Current hours: Mon to Wed 7am to 12midnight
Proposed hours: Mon to Wed 7am to 2am

All other hours to remain the same.

- 3.2.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 3.2.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 3**.

3.3 Activities unsuitable for children

3.3.1 The applicant has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

3.4 Steps to promote the licensing objectives

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

3.4.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 6**.

4. Relevant Representations

4.1 A total of 1 relevant representation was received in respect of the application (**Appendix 5**).

Responsible Authorities:

- No representations received.

Other Persons:

- Deansgate Ward Councillors.

4.2 Summary of the representations:

Party	Grounds of representation	Recommends
Deansgate Ward Councillors	Concerns regarding the prevention of crime and disorder, public nuisance and public safety licensing objectives: It is not clear how the premises would be able to accommodate intoxicated customers late at night. The proposed conditions lack detail and show that the applicant has not considered potential problems.	None

4.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 6**.

5. Key Policies and Considerations

5.1 Legal Considerations

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

5.2 **New Information**

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

5.3 **Hearsay Evidence**

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

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

5.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided 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.

5.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.

5.4.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

5.5 **Manchester Statement of Licensing Policy**

5.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' its statement of licensing policy.

5.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.

5.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.

5.5.4 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
- Proximity of takeaways and licences to nightlife entertainment areas
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance

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 |
| MS6 | Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies |
| MS8 | Prevent noise nuisance from the premises |

6. Conclusion

- 6.1 A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 6.2 In considering the matter, the 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.
- 6.3 The Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate;
 - b) To reject the whole or part of the application

- 6.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 6.5 However, conditions should not be imposed on a licence which are unrelated to the variation sought.
- 6.6 All licensing determinations should be considered on the individual merits of the application.
- 6.7 The 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.
- 6.8 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 6.9 The Panel is asked to determine the application.

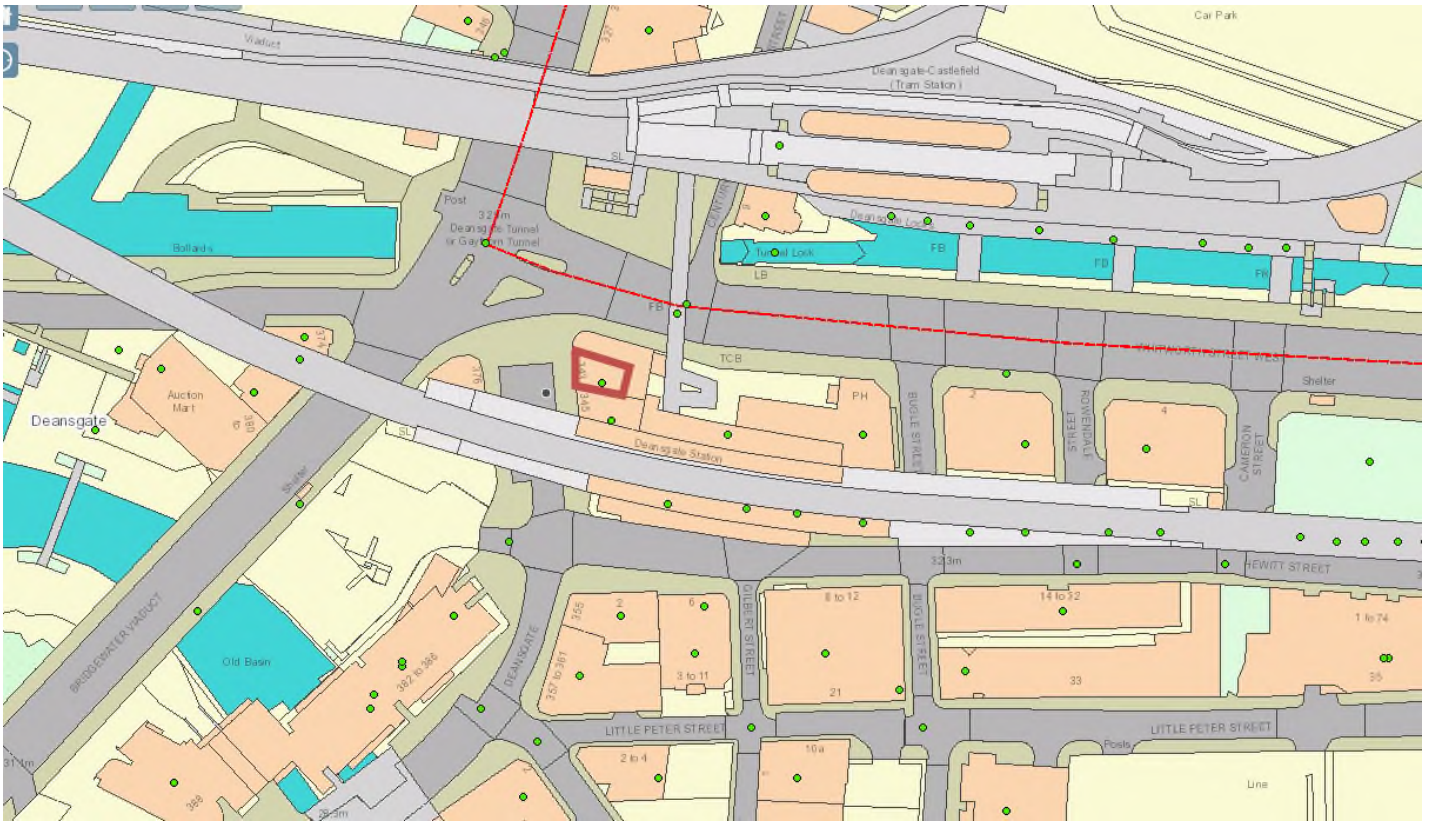


PREMISE NAME: Deansgate Food Bar

PREMISE ADDRESS: 343 Deansgate, Manchester, M3 4LG

WARD: Deansgate

HEARING DATE: 11/03/2019



Deansgate Food Bar
343 Deansgate, Manchester, M3 4LG



MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	156456
Granted	03/12/2013
Latest version	Variation ref 198321 granted 27/06/2017.

Part 1 - Premises details

Name and address of premises
Deansgate Food Bar 343 Deansgate, Manchester, M3 4LG
Telephone number
0161 834 0282

Licensable activities authorised by the licence
1. The provision of late night refreshment.
* All references in this licence to "sale of alcohol" are to sale by retail.

The times the licence authorises the carrying out of licensable activities

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	Not permitted
Finish	2400	2400	2400	0200	0400	0400	
Licensed to take place both indoors and outdoors.							
Seasonal variations and Non standard Timings:							
Christmas Eve and New Year's Eve: 2300 to 0400							
The day preceding a Bank Holiday: 2300 to 0300							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0700	0700	0700	0700	0700	0700	0700
Finish	2400	2400	2400	0200	0400	0400	2200
Seasonal variations and Non standard Timings:							
Christmas Eve and New Year's Eve: 2300 to 0400							
The day preceding a Bank Holiday: 2300 to 0300							

Part 2

Details of premises licence holder	
Name:	Stephen Howard
Address:	[REDACTED]

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol
Not applicable

Annex 1 – Mandatory conditions**Door Supervisors**

1. Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: -
 - (a) Unauthorised access or occupation (e.g. through door supervision),
 - (b) Outbreaks of disorder, or
 - (c) Damage,
 unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.

Annex 2 – Conditions consistent with the operating schedule

1. Health and safety, due diligence and incident reporting shall operate all the hours the premises are open to the public.
2. The licence holder shall report any incidents of crime and disorder that occur on or near to the premises to Greater Manchester Police.
3. The premises shall actively participate in any crime prevention initiatives undertaken in the area by GMP.

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

1. The opening hours Sunday to Thursday as applied for, Friday & Saturday will be 07:00-02:00 with late night refreshment 23:00-02:00
2. Any area where customers have legitimate access must be sufficiently illuminated for the purposes of CCTV. CCTV must be in operation at any time a person is in the premises.
 - (i.) All CCTV recorded images will have sufficient clarity / quality / definition to enable facial recognition. CCTV will be kept in an unedited format for a minimum period of 28 days.
 - (ii.) CCTV will be maintained on a regular basis and kept in good working order at all times.
 - (iii.) CCTV maintenance records to be kept with details of contractor used and work carried out to be recorded. Where CCTV is recorded on to a hard drive system any DVD's subsequently produced will be in a format so it can be played back on a standard personal computer or system any DVD's subsequently produced will be in a format so it can be played back on a standard personal standard DVD player.
 - (iv.) Where CCTV is recorded on to a hard drive system, the hard drive system must have a minimum of 28 day roll over recording period. Where CCTV is recorded on to VHS cassette tapes there will be a minimum of 28 days worth of VHS cassettes. These must be indexed and used on a roll over basis. Any person left in charge of the premises must be trained in the use of any such CCTV equipment and able to produce / download / burn CCTV images upon request by a person from a responsible authority.
 - (v.) Plans indicating the position of CCTV cameras to be submitted to the responsible bodies within one week of the granting of a licence requiring CCTV. Where the recording is on a removable medium (i.e. videotape, compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.
3. The need for SIA door security will be risk assessed on a daily basis and employed when the risk assessment deems it necessary.
4. Management and staff shall discourage any congregation of patrons outside of the premises.
5. Management and staff shall ensure that any litter generated by customers in the immediate vicinity is collected both during and after the close of operational hours.
6. A prominent, clear and legible notice shall be displayed at the exit of the premises to remind customers to dispose of their litter responsibly.

7. A prominent, clear and legible notice shall be displayed at the exit of the premises asking customers to respect the needs of local residents and to leave the area quietly.
8. When the Premises trades beyond 0200 hours on a Friday and Saturday, SIA registered door staff shall be employed at the premises at a ratio of 1:100 from 2300 hours until 15 minutes after the premises close, to help with the orderly dispersal of customers. Whilst on duty door staff shall wear Hi-visibility jackets. At all other times the need for door staff shall be risk assessed by the operators.

Annex 4 – Plans

See attached

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We STEPHEN HOWARD
(Insert name(s) of applicant)

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

Premises licence number	156456
-------------------------	--------

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
DEANSGATE FOOD BAR 343 DEANSGATE MANCHESTER			
Post town	MANCHESTER	Postcode	M3 4LG
Telephone number at premises (if any)	0161 834 0282		
Non-domestic rateable value of premises	£ 1325		

Part 2 – Applicant details

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

Part 3 - Variation

Please tick as appropriate

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

Yes

No

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

DD	MM	YYYY

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

TRADING HOURS TO BE EXTENDED
 FROM 12 MIDNIGHT WEDNESDAY
 TO 02AM THURSDAY ALSO

 12 MIDNIGHT TO 0200 MONDAY
 12 MIDNIGHT TO 0200 TUESDAY
 12 MIDNIGHT TO 0200 WEDNESDAY

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

[REDACTED]

Part 4 Operating Schedule

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

Provision of regulated entertainment

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

B

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

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			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
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

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

E

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

F

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

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	07-00 ----- 23-00	23-00 ----- 02-00			
Tue	07-00 ----- 23-00	23-00 ----- 02-00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed	07-00 ----- 23-00	23-00 ----- 02-00			
Thur	07-00 ----- 23-00	23-00 ----- 02-00	<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> (please read guidance note 6)		
Fri	07-00 ----- 23-00	23-00 ----- 04-00			
Sat	07-00 ----- 23-00	23-00 ----- 04-00			
Sun	07-00 ----- 23-00	23-00 ----- 04-00			

J

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

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).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)		
Day	Start	Finish			
Mon	07.00	02.00			
Tue	07.00	02.00			
Wed	07.00	02.00			
Thur	07.00	02.00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)		
Fri	07.00	04.00	TO OPEN CHRISTMAS EVE 23.00 - 04.00 NEW YEARS EVE 23.00 - 04.00		
Sat	07.00	04.00	THE DAY PRECEDING A BANK HOLIDAY 23.00 - 03.00		
Sun	07.00	23.00			

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

Please tick as appropriate

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

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

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

I HAVE NOT HAD CONFIRMATION
OR ACCEPTANCE. I WAS TOLD
THE LICENCE OFFICE WOULD CALL
ME TO TAKE PAYMENT

M

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

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

LIASE WITH THE LOCAL POLICE,
EMPLOY REGISTERED DOOR STAFF
RESPECT THE NEIGHBOURS SIGN
CHILDREN TO BE SUPERVISED
CCTV

b) The prevention of crime and disorder

POLICE LIASON
CCTV

c) Public safety

EMPLOY DOOR STAFF AS STATED
IN THE LICENCE AS REQUIRED
CCTV

d) The prevention of public nuisance

RESPECT THE NEIGHBOURS SIGN

e) The protection of children from harm

CHILDREN SHOULD BE
UNDER SUPERVISION

CHILDREN TO BE UNDER SUPERVISION

Checklist:

Please tick to indicate agreement

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

IT IS AN OFFENCE, 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 5 – Signatures (please read guidance note 11)

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

Signature	[REDACTED]
Date	21-01-2019
Capacity	

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)

STEPHEN HOWARD

[REDACTED]

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

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

Document is Restricted

This page is intentionally left blank

From: **Councillor Marcus Johns** <cllr.marcus.johns@manchester.gov.uk>
Date: Wed, 20 Feb 2019 at 23:04
Subject: Premises Licence variation 225918/DS7: Deansgate Food Bar, 343 Deansgate, Manchester, M3 4LG, (Deansgate ward)
To: Premises Licensing <premises.licensing@manchester.gov.uk>, Cllr Joan Davies <cllr.j.davies@manchester.gov.uk>, Cllr William Jeavons <cllr.william.jeavons@manchester.gov.uk>

Good evening.

I am writing to object to the premises license variation above (Ref: 225918/DS7). I am objecting for two main reasons.

Firstly, the railway bridge beneath which the applicant premises is located marks the entrance to an overwhelmingly quiet, residential area, particularly Deansgate Quay & 355-357 Deansgate. The area is highly different in character to Whitworth Street West, on the side of the bridge of the premises. The railway viaduct currently acts as a clear barrier between two very different areas. The late hours (up to 2 am) on weeknights is not appropriate for this area.

This is particularly important with respect to the surrounding licensed premises. Currently, as clubs and bars on/around Whitworth St West close or visitors end their night out, the visitors disperse away from the residential neighbourhood that is to the south of the railway viaduct. A late night hot food premises in this location would act as a focal point, attracting revellers towards the residential neighbourhood and causing distress to local residents with respect to noise. Indeed, visitors would likely congregate outside the premises in the pedestrian area outside the applicant premises which will cause noise that will carry through the quiet neighbourhood and disturb residents--no steps have been suggested by the applicant to prevent this. Notwithstanding, I believe it to be an inappropriate location for the proposed extended hours.

Given the high concentration of bars/clubs in the area on/around Whitworth St West, I believe that majority of visitors to the premises within the extended hours would be intoxicated and visiting the applicant premises after having visited nearby bars/clubs. It is not clear from the application that the licensed premises would be able to accommodate intoxicated visitors late at night whilst promoting three of the four licensing objectives:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety

This leads me to my second objection which is that the applicant's proposed steps to meet the four licensing objectives are poor and inadequate.

The proposals below lack detail and lack reasoning for why they are sufficient. The lack of detail suggests the proposal is ill-thought through and has not considered how it will accommodate intoxicated revellers late at night. For example, the number of door staff and the ways they will help promote licensing objectives are not

explained and a respect the neighbours sign is wholly insufficient in ensuring the nearby residential buildings will be able to remain part of a quiet, safe area.

The steps to promote the four licensing objectives given by the applicant are too brief:

"Liaise with local police
employ registered door staff
Respect the neighbours sign
children to be supervised
cctv."

I am submitting this objection on behalf of myself, Cllr Joan Davies and Cllr William Jeavons (copied in), as the three ward Councillors for Deansgate.

Best wishes,

Cllr Marcus Johns
Labour Member for Deansgate Ward

Mobile: 07966 295866

Email: cllr.marcus.johns@manchester.gov.uk

Twitter: @cllrmarcus

www.manchester.gov.uk

C/O Members' Services Office, Town Hall, Albert Sq, Manchester M60 2LA

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
1. Liaise with local police. 2. Employ registered door staff. 3. Respect the neighbours sign. 4. Children to be supervised. 5. CCTV.	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
None	N/A	N/A

This page is intentionally left blank

**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 11 March 2019

Subject: General Convenience Store, 374-374a Cheetham Hill Road,
Manchester, M8 9LS - (App ref: Premises Licence (new)225671)

Report of: Head of Planning, Building Control and Licensing

Summary

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

Recommendations

That the Panel determine the application.

Wards Affected:

Cheetham

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

A connected city: world class infrastructure and connectivity to drive growth	
---	--

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Name: Ria Page
Position: Technical Licensing Officer
Telephone: 0161 234 4399
E-mail:

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 16/01/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of General Convenience Store, 374-374a Cheetham Hill Road, Manchester, M8 9LS in the Cheetham ward of Manchester. A location map and photograph 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 Ms Rojin Mohammadi.
- 2.3 The description of the premises by the applicant is General Convenience Store
- 2.4 The proposed designated premises supervisor is Ms Rojin Mohammadi
- 2.5 **The licensable activities applied for:**

Provision of late night refreshment:
Fri and Sat 11pm to 12 Midnight

The supply of alcohol for consumption off the premises only:
Sun to Thu 7am to 11pm
Fri and Sat 7am to 12 Midnight

Opening hours:
Sun to Thu 6am to 11pm
Fri and Sat 6am to 12 Midnight

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**.

2.8 **Further documentation accompanying the application**

2.8.1 The applicant has submitted the following documents in support of their application, which are included with the application form at **Appendix 2**:

- Smoking Policy
- Dispersal Policy

3. **Relevant Representations**

3.1 A total of 17 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:

- MCC Licensing and Out of Hours Compliance Team;

Other Persons:

- Neighbourhood Development Team (Manchester City Council)
- Cheetham Ward Councillor
- Residents (x14).

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	Public Nuisance, specifically customers leaving or congregating at premises, street drinking and begging.	Alternative and additional conditions
Neighbourhood Development Team (NDT)	Crime and Disorder specifically street drinking and antisocial behaviour. Public Nuisance specifically noise and antisocial behaviour affecting local residents and litter. Public Safety specifically the attraction of existing issues around valuable people in the area especially homelessness, rough sleeping and begging. Protection of Children from Harm specifically how the applicant will have appropriate measures to avoid underage purchases.	None
Cheetham Ward Councillor	Public Nuisance specifically anti-social behaviour in the area.	None
Residents (x14)	All 4 Licensing objectives were mentioned in parts throughout all 14 representations, the main grounds for the representations are, potential increase in anti-social behaviour e.g. shouting, swearing, vandalism and urinating outside properties, Increase in crime and potential to attract more serious crime, noise nuisance, light pollution from the signage, increased litter especially around the bus stop close to the premises, congregating outside the premises, drunken behaviour, begging, rodent and fox infestation and the exposure of alcohol promotions to children in the area.	None

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
- 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
- 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
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- 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

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.

This page is intentionally left blank



PREMISE NAME:	General Convenience Store
PREMISE ADDRESS:	374-374a Cheetham Hill Road, Manchester, M8 9LS
WARD:	Cheetham
HEARING DATE:	11/03/2019



General Convenience Store
374 & 374a Cheetham Hill Road, Manchester, M8 9LS

Premises Licensing
Manchester City Council

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

**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 **ROJIN MOHAMMADI**

(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			
374/ 374A CHEETHAM HILL ROAD			
Post town	MANCHESTER	Postcode	M8 9LS

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£14250 - checked VOA website 16/1/19 - based on 374 Cheetham Hill Road.

Part 2 - Applicant details

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

- | | | |
|--|--------------------------|-----------------------------|
| a) an individual or individuals * \checkmark | <input 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 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 checked="" type="checkbox"/>	Other Title (for example, Rev)	
Surname MOHAMMADI			First names ROJIN		
Date of birth [REDACTED]		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality [REDACTED]					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]			Postcode	[REDACTED]
Daytime contact telephone number			[REDACTED]		
E-mail address (optional)	[REDACTED]				

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
14	02	2019

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)

THE SHOP IS CURRENTLY EMPTY AND IT WILL BE COMPLETELY REFURBISHED TO BECOME A MODERN AND PROFESSIONAL GENERAL CONVENIENCE STORE SELLING AN EXTENSIVE RANGE OF GOODS INCLUDING BREAD, MILK, DAIRY PRODUCTS, SWEETS, FRESH FOOD INCLUDING MEATS, CIGARETTES, HOUSEHOLD ITEMS, TOILETRIES, SNACKS, ETC.

THE SHOP IS SITUATED IN A SHOPPING AREA ON A BUSY MAIN ROAD WITH NUMEROUS OTHER SHOPS IN THE AREA.

THE APPLICANT IS INVESTING IN THE SHOP AND IT WILL BE A FAMILY RUN BUSINESS. THE PROPOSED ALCOHOL SALES WOULD JUST BE A PART OF THE BUSINESS TO ALLOW THE SHOP TO COMPETE, DEVELOP, AND OFFER CUSTOMERS A COMPLETE GENERAL CONVENIENCE SERVICE.

THE LAYOUT OF THE SHOP HAS BEEN CONSIDERED AND ALCOHOL WOULD BE LOCATED ADJACENT TO THE COUNTER. SPIRITS AND MORE EXPENSIVE ITEMS LIKE CHAMPAGNE WOULD BE KEPT BEHIND THE COUNTER.

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)

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

B

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

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

E

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

F

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

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors ✓	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4) FOR THE SALE OF HOT DRINKS – COFFEE ETC		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri	23:00	24:00	<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> (please read guidance note 6)		
Sat	23:00	24:00			
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (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	24:00			
Sat	07:00	24:00			
Sun	07:00	23:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

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

Name ROJIN MOHAMMADI	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) TO BE CONFIRMED – PERSONAL LICENCE APPLICATION IS IN PROCESS	
Issuing licensing authority (if known) BURY	

□□□□

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

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	06:00	23:00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p>
Tue	06:00	23:00	
Wed	06:00	23:00	
Thur	06:00	23:00	
Fri	06:00	24:00	
Sat	06:00	24:00	
Sun	06:00	23:00	

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)

See attached

b) The prevention of crime and disorder

See attached

c) Public safety

See attached

d) The prevention of public nuisance

See attached

e) The protection of children from harm

See attached

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. (APPLICATION SUBMITTED ELECTRONICALLY SO LICENSING AUTHORITY WILL CIRCULATE THE APPLICATION)
- 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.**

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

	her proof of entitlement to work, if appropriate (please see note 15)
Signature	██████████
Date	15/1/2019
Capacity	██████

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
██████████ ██████████			
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:
 - 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.

Application for a new premises licence

374 Cheetham Hill Road, Manchester, M8 9LS

Operating schedule/proposed licence conditions

General conditions

A CCTV camera system (which will include 'facial recognition') capable of providing evidential quality images in all lighting conditions shall be used covering the interior and the immediate exterior (entrance) of the premise. Images will be retained for a period of at least 31 days and be made available to the Police as soon as practicable upon request subject to data protection legislation.

The CCTV recording equipment shall be kept in a secure environment under the control of the premises licence holder and/or another named responsible individual.

The licence holder will be a responsible retailer and a good neighbour to promote the licensing objectives;

All staff will be authorised to sell alcohol in writing and a record of the authorisation will be kept in the shop available for inspection.

The licence holder will sign up to the Portman Group's retail alert bulletin in respect of the code of practice on the naming, packaging and promotion of alcoholic drinks

Crime and Disorder

The DPS and other staff will be vigilant and monitor the area immediately outside the shop to ensure that youths do not cause annoyance by congregating.

Spirits will be kept behind the counter and not available for self-service by customers.

Incidents of crime and disorder at the premises, witnessed by staff, will be recorded in an incident book kept at the shop, this book will be available for inspection.

The shop shall operate a refusals policy as follows - alcohol will not be sold to;

(1) Any person recognised or identified as a street drinker (regardless of their level of inebriation at the time);

- (2) Any person found to be drinking alcohol in the street;
- (3) Any person who is drunk or appears to be drunk;
- (4) Any person suspected of trying to buy alcohol for another person who is drunk or appears to be drunk;
- (5) Any person unable to provide valid ID when requested by staff;
- (6) Any person who is verbally or physically abusive towards staff or customers.
- (7) To any person suspected of trying to buy alcohol for another person(s) who may be under age.

A notice advising customers of the refusals policy shall be on display.

A written recruitment procedure will be in place which includes the steps that will be taken by the licence holder to check the immigration status and the eligibility of an individual to work in the UK in accordance with the Home Office Guidance for employers on preventing illegal working in the UK.

'Crimestoppers' literature shall be displayed within the shop.

Public safety

Appropriate fire safety equipment to be available.

The licence holder shall comply with other legislative requirements to ensure that the shop is safe for customers and staff.

Public nuisance

The DPS and other staff will be vigilant and monitor the area immediately outside the shop to ensure that youths do not congregate.

Any deliveries to the shop will be arranged during hours which will not lead to any public nuisance.

Notices will be on display in the shop asking customers to leave the shop quietly.

Staff will monitor the area immediately outside the shop on a regular basis to check for litter.

Protection of children from harm

The licence holder shall ensure that anyone who appears to be under 25 who attempts to purchase alcohol will be asked to prove their age by producing an acceptable form of photographic ID such as a passport, photo driving licence, military ID and PASS accredited proof of age cards.

A refusals register (for the sale of alcohol) will be kept and maintained and be made available for inspection by responsible authorities.

Notices shall be displayed in the premises where they can be seen clearly to advise customers that it is unlawful for persons under 18 to purchase alcohol or for any persons to purchase alcohol on behalf of a person under 18 years of age.

A due diligence checklist (aimed at preventing any underage sales) will be kept and be available for inspection by responsible authorities.

A documented training scheme shall be used for all staff authorised to sell alcohol. The training will emphasise the importance of preventing under age sales and complying with licence conditions. Refresher training shall be provided annually, records will be kept and be made available to responsible authorities upon request.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details	
Application Ref No	225671
Name of Premises	General Convenience Store
Address	374 & 374a Cheetham Hill Road, Manchester, M8 9LS

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 (LOOH) have conducted an assessment of this application and have concerns that the proposed conditions in the operating schedule are not currently clear or precise to adequately demonstrate how they will uphold the four licensing objectives.

The area is a largely residential, with properties close to the proposed premises, this has the potential to cause problems of nuisance from customers leaving or congregating outside. There are issues of Anti-Social Behaviour, street drinking and begging in the area.

To alleviate the above concerns, the LOOH team request the following conditions should be amended within the operating schedule.

From

A CCTV camera system (which will include 'facial recognition') capable of providing evidential quality images in all lighting conditions shall be used covering the interior and the immediate exterior (entrance) of the premise. Images will be retained for a period of at least 31 days and be made available to the Police as soon as practicable upon request subject to data protection legislation.

The CCTV recording equipment shall be kept in a secure environment under the control of the premises licence holder and/or another named responsible individual.

To

A CCTV system (which will include facial recognition) capable of providing evidential quality images in all lighting conditions shall be used covering the interior and the immediate exterior (entrance) of the premise. The CCTV cameras shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of [31] days with the date and time stamping.

Cameras will cover the full interior of the premises with no blind spots, and directly to the front outside area of the premises. A CCTV monitor will be positioned near the entrance to the premises so that staff are able to monitor the images.

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 that can be played back on a standard personal computer or standard DVD player.

From

The DPS and other staff will be vigilant and monitor the area immediately outside the shop to ensure that youths do not cause annoyance by congregating.

To

All employees will be vigilant and monitor the area immediately outside the shop to ensure that members of the public do not cause annoyance by congregating.

From

Appropriate fire safety equipment to be available. The licence holder shall comply with other legislative requirements to ensure that the shop is safe for customers and staff.

To

Appropriate fire safety equipment to be made available and is inspected and serviced in line with the appropriate British Standard annually and is documented.

Conduct a Fire Risk Assessment for the premises, which is reviewed as required, and as a minimum every 12 months.

From:

Staff will monitor the area immediately outside the shop on a regular basis to check for litter.

To

Staff will monitor the pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept or washed, and litter and sweepings collected and stored in accordance with the approved waste storage arrangements. The area will be checked at the start & finish of the working day, and periodically throughout the day.

From

Any deliveries to the shop will be arranged during hours which will not lead to any public nuisance.

To

Deliveries to the premises shall be conducted in a manner that will not cause a nuisance to the occupiers of any residential properties surrounding the delivery address and deliveries shall be made at a time which will not lead to any public nuisance.

From

A documented training scheme shall be used for all staff authorised to sell alcohol. The training will emphasise the importance of preventing under age sales and complying with licence conditions. Refresher training shall be provided annually, records will be kept and be made available to responsible authorities upon request.

To

In addition to any other training, the premises licence holder shall ensure that all staff are trained to prevent underage sales, are aware of and prevent proxy sales, recognising signs of drunkenness & refusing the sale, complying with licence conditions, maintain the refusals log, and that they monitor staff to ensure their training is put into practice.

All training will be documented, signed and dated and refreshed at least every 6months, and will be made available to authorised officers upon request.

A log shall be kept at the premises to record all refused/ challenged sales of alcohol. The log shall record the date and time of the refusal/ challenge, reason for challenge/ refusal and the name of the member of staff dealing. The log will be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.

Additional Conditions

- Staff will be monitor the outside area to identify any potential proxy purchasing concerns.
- The premises will display prominent notices in the premises explaining the law in relation to purchasing alcohol on behalf of persons under 18 and the penalties involved.
- The premises shall display prominent signage indicating at any point of sale that it is an offence to sell alcohol to anyone who is drunk.

Recommendation:

From: **Catherine Keane** [REDACTED]
Date: Mon, 11 Feb 2019 at 16:02
Subject: Re: Premises Licence (new) 225671/RP5: General Convenience Store, 374 & 374a Cheetham Hill Road, Manchester, M8 9LS, (Cheetham ward)
To: Premises Licensing <premises.licensing@manchester.gov.uk>

Dear Premises Licensing Team

I am writing with reference to the licence application for the General Convenience Store at 374 and 374 A Cheetham Hill Road, Cheetham. M8 9LS.

The application is for General Convenience Store proposed hours and licensable activities:

Provision of late night refreshment:
Fri & Sat 2300 to Midnight

The supply of alcohol for consumption off the premises only:
Sun to Thu 7am to 11pm
Fri & Sat 7am to Midnight

Opening hours:
Sun to Thu 6am to 11pm
Fri & Sat 6am to Midnight

I am objecting to this licence application on the following grounds.

Prevention of Crime and Disorder.

The sale of alcohol off the premises and opening hours could have an impact on crime and disorder. I appreciate the measures the applicant has proposed. However, I believe this will still create a risk to crime and disorder in the area with customers coming to the premises to buy alcohol and consume it near by. This could result in anti-social behaviour and public disorder. The General Convenience Store is close to residents as well other businesses including a pharmacy.

There has been other incidents of anti-social behaviour by businesses who are selling alcohol on Cheetham Hill Road, near to the General Convenience Store. Therefore, I would not support more businesses to sell alcohol and potentially increase the risk of problems occurring on Cheetham Hill Road.

In addition, as there are a number of businesses premises selling alcohol along Cheetham Hill Road and District Centre, I do not see a need for the General Convenience Store to sell alcohol.

Prevention of Public Nuisance

The General Convenience Store is close to a residential area. Selling alcohol at the times proposed 6 am - 11 pm and 6 am - 12 midnight could result in increase anti-social behaviour, noise and public nuisance.

Parking. There are major challenges with parking in the area. Offering sales of alcohol at 6 am - 11 pm or midnight at weekends could impact on residents with customers to put more parking pressures in the area over a longer period of time.

Litter. We have major challenges with litter and flytipping in this area of Cheetham Hill. I have serious concerns that having a alcohol licence will increase problems of litter and inappropriate disposal of waste. The applicant states that they will monitor this on a regular basis. However, I would like more details on this and their commercial waste contract.

Public Safety

Cheetham Hill Road is a very busy commercial and residential area. It attracts a wide variety of visitors to the area too. In recent years, we have seen an increase in homelessness, rough sleeping and begging. The City Council, GMP and partners are working together to address this. If the General Convenience Store were were to sell alcohol at the proposed times, it could present a public safety risk and attract customers who are vulnerable to purchase alcohol.

Protection of Children from Harm

The applicant has stated that they will put appropriate measures in place to address underage purchases . However, there are still concerns that an adult could purchase alcohol and sell on to young people.

I would like more information on this to ensure that this risk has been considered and any further actions the business would take stop this. (e.g labelling of bottles etc)

In summary, I object to the licence application submitted by the General Convenience Store 374 - 374A Cheetham Hill Road for the above reasons.

If you have any further enquiries, please contact me to discuss.

Many thanks

Cath

cc Cheetham Councillors and colleagues for information.

Cath Keane
Neighbourhood Team Lead
Cheetham, Crumpsall and Higher Blackley
North Neighbourhood Team

[Redacted]

[Redacted]

From: [REDACTED]
Date: Wed, 23 Jan 2019 at 10:00
Subject: Fwd: Premises Licence (new) 225671/RP5: General Convenience Store, 374 & 374a Cheetham Hill Road, Manchester, M8 9LS, (Cheetham ward)
To: Premises Licensing <premises.licensing@manchester.gov.uk>

Dear Premises Licensing Team

Please note comments from Councillor Shaukat Ali, Cheetham ward.

Many thanks

Cath

Cath Keane
Neighbourhood Team Lead
Cheetham, Crumpsall and Higher Blackley
North Neighbourhood Team
Neighbourhoods Directorate
Neighbourhoods and Strategic Development
Manchester City Council

[REDACTED]

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

From: **Councillor Shaukat Ali** <cllr.shaukat.ali@manchester.gov.uk>
Date: Tue, 22 Jan 2019 at 21:39
Subject: Re: Premises Licence (new) 225671/RP5: General Convenience Store, 374 & 374a Cheetham Hill Road, Manchester, M8 9LS, (Cheetham ward)
To: Catherine Keane [REDACTED]

Hi Cath

Thanks for the email and notifying the application for the General convenience store where supply of alcohol for consumption off the premises only. I strongly object this application because I think that I will cause great harm in regards he local community and anti-social behaviour in the area. I have been contacted by the local residents of Esmond road and surrounding area to object this application.

Can you please pass on my strongest objection to licensing department on my behalf.

Many thanks

Regards

Cllr. Shaukat Ali

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

30/1/19

Premises Licensing
 P.O BOX 32
 M60 2LA

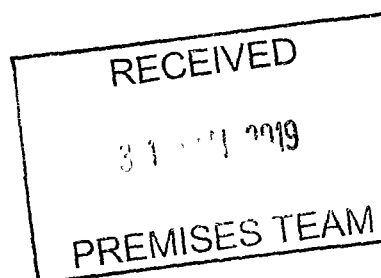
Dear Sir,

I am writing this letter in regards to the licence application at 374 CHEETHAM HILL ROAD MANCHESTER M89LS.

I OBJECT to this application as there are already six to seven licences in the 1/2 miles area. TESCO up the road is open 24 hours. This applicant who has applied to open till mid night will only cause lots of unrest in the area as there will be more drunks causing in the area specially at the weekends. The area is mostly muslim dominated; by granting one more licence you will be encouraging more young people to alcoholism and more to crime in the area.

Will the the final decision rests on you.

Thank you



LICENCING DEPARTMENT
MANCHESTER, M60 2LA

Dear Sirs,

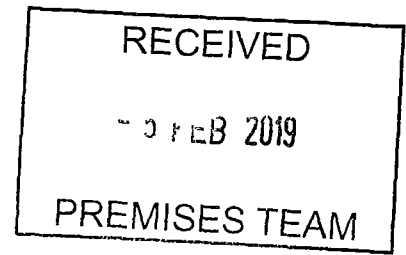
I write in relation to the Off Licence application for 37⁴/₈ Cheetham Hill
9LS.

As a resident in the area, I would like to voice my concerns and
application. The applicant has applied to stay open and serve alcohol
is already enough trouble in the area, with burglaries, muggings and
few.

- The premises was recently subject to one of these crimes, where
robbed and had a few of his fingers decapitated with a knife. Al
Esmond Road, was also attacked with a knife in her own home.

I feel that if the late licence is allowed, it is going to bring even more
to mention more drunken people making more noise, then we
There are already enough off-licenses in the vicinity, one a close a
same block of shops) as well as a large superstore in the area - we

By allowing yet another off licenses to open in the area, it is only
generation to drink and turn to alcoholism, and also bring in more



Dear Sir/Madam

I wish to object to the alcohol licence application by 374-374A Cheetham Hill Road, M8 9LS

I have an interest in this application that is greater than the general public because The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

I object to the application on the following grounds:

Objection 1:

Grounds for objection – state grounds for objection

Reasons for objections:

1. Residents in this area already suffer noise nuisance
2. Antisocial behaviour at all hours of the day and night

Objection 2:

Grounds for objection – state grounds for objection

Reasons for objections:

1. public nuisance have already reached problem levels for the local police.
2. Store is just around the corner of a quiet residential street.

Objection 3:

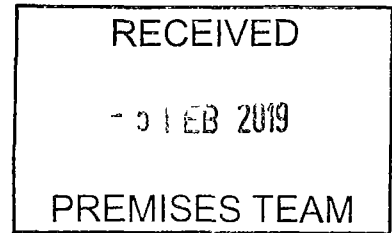
Grounds for objection – state grounds for objection

Reasons for objections:

1. Granting a licence would provide a further source of alcohol within an area already so heavily populated with licensed premises.

In view of the above, I would urge the Licensing Authority to refuse the application.





TO WHOM IT MAY CONCERN

I WRITE IN RELATION TO THE ADDRESS OF 374-374A CHEETHAM HILL ROAD MS 9LS, ABOUT MY OBJECTION AGAINST THE ALCOHOL LICENCE APPLICATION.

MY CONCERNS ARE OF THE ON GOING ANTI SOCIAL BEHAVIOUR, VANDALISM, GLASS BOTTLES, LITTER AND WITH THIS ALCOHOL LICENCE IT WILL MAKE THE MATTER MUCH WORSE FOR EVERYBODY.

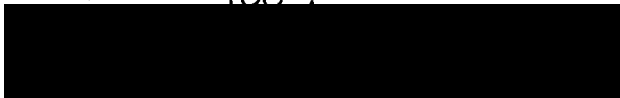
THE DISTURBANCE IN THIS LOCATION IS ALREADY OUT OF HAND.

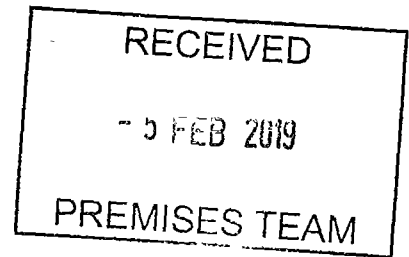
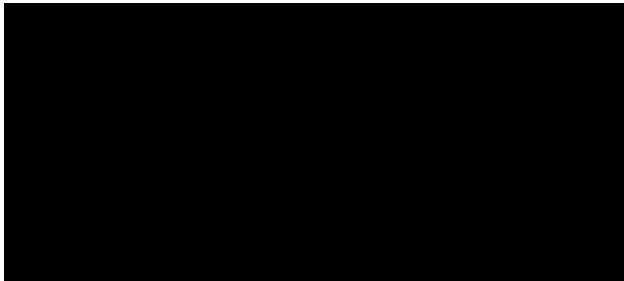
MYSELF AND LOCAL NEIGHBOURS SEE THIS EVERYDAY ALSO URINATING OUTSIDE FAMILY HOUSES.

PLEASE CAN YOU RE-CONSIDER AND RE-THINK ABOUT THIS ALCOHOL LICENCE, AS IT WILL CAUSE FURTHER DEVASTATION TO THE AREA AND OUR HOUSES.

PLEASE DO NOT GRANT A LICENCE.

THANK YOU





Dear Sir/Madam,

I am writing to register my objection for a Alcohol premises licence by 374, 374A Cheetam Hill Road, M8 9LS.

The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

Granting the premises to sell alcohol would be totally detrimental to its aims and objectives. The application proposes that alcohol will be sold for consumption off the premises between 7.00 am till midnight, seven days a week.

Granting a licence would provide a further source of alcohol within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels for the local police.

Residents in this area already suffer noise nuisance and antisocial behaviour at all hours of the day and night.

(P.T.O)

We have endured this inconvenience for a very long time. Also the proposed premises is close to a existing licensed shop which has had its problems with dealing with antisocial behaviour.

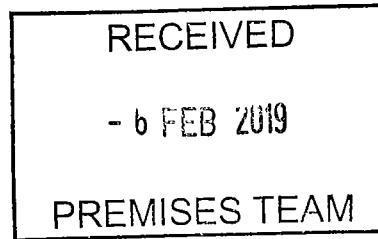
I strongly would like to request that do we need another shop will feels such behaviour.

I would urge the licensing authority to refuse the application.

Yours faithfully,



Attention: Licensing Department
Town Hall Extension
Manchester
M2 5DB



Dear Licensing Department

Re: General Convenience Store - 374 & 374a Cheetham Hill Road, Manchester, M8 9LS
Reference: 225671/RP5

I am writing to register my objection to the application for a premises licence by Ms Rojin Mohammadi for 374-374A Cheetham Hill Road M8 9LS. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

Being an active member of the community who was born and raised in the area and as a volunteer for many years with numerous youth schemes within the local mosque there have been numerous concerns raised to myself by local residents in regards to this application.

374-374A Cheetham Hill Road M8 9LS is situated in the heart of a residential area. The application proposes that alcohol will be sold for consumption off the premises between Sun to Thu 7am to 11pm and Fr & Sat 7am to 12 midnight. Granting a licence would provide a further source of alcohol within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels for the local police.

Residents in this area already suffer noise nuisance and antisocial behaviour at all hours of the day and night. Another source of alcohol would only add to this existing problem. The premises is less than 100 yards away from residential properties.

The premises is also on route to a local school where a large amount of children pass by daily. This has been voiced as a concern by local residents the fear being that there would be groups gathering outside consuming alcohol.

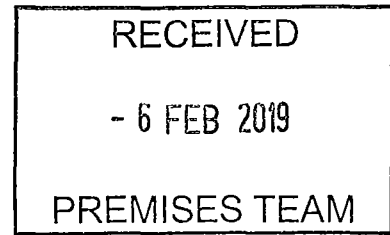
There is also an issue regarding the increase in vehicles on an already congested junction. Parking is already at a minimum due to the other shops within the vicinity. The residential road (Esmond Road) is one way and there is safety concern that when exiting onto Cheetham Hill Road the increase in vehicles with restricted space would further cause a hazard.

Please note that these concerns have not only been voiced by the large Muslim population of the local area but also the non - Muslim residents who feel that there is a concern for the multicultural community as a whole.

Thank you for taking the time to seriously consider these objections.

Yours Sincerely,





Dear sir/ madam

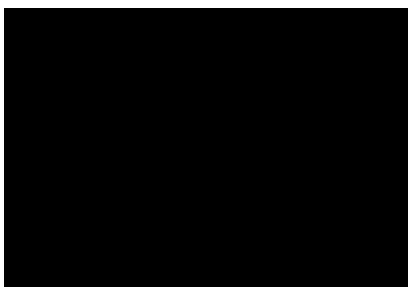
I am writing to register my objection to the alcohol licence application by 374-374A
Cheetham Hill Road, M8 9LS

The reason for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

Granting a licence would provide a further source of alcohol within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels for the local police.

Residents in this area already suffer noise nuisance and antisocial behaviour at all hours of the day and night.

I would urge the Licensing Authority to refuse the application.
Yours faithfully,





Dear sir, madam

I am writing to show objections to the application off a alcohol licence by 374. 374A opening on Cheetham Hill Road, M8 9LS

My main concern is that public nuisance has already surpassed acceptable levels for the local residents and the police.

its location is no longer appropriate due to the way in which your community is developing. We are as a community are majority Islamic and the acceptance of alcohol is strongly prohibited. I do not want to see another off licence opening in our area.

The area has suffered from this for many decades and I believe it's because of shops selling alcohol in a deprived area.

There already is a shop which is opened till late which has caused Antisocial behaviour in the past but opening another shop a few doors away will only heighten the antisocial behaviour showed by our younger community members.

I strongly urge and request that this application shouldn't be granted.

Thank you

RECEIVED

- 7 FEB 2019

PREMISES TEAM

I'm Objecting to the Application for 374-374A
 Cheekham Hill RD, M89L.

[REDACTED], I have a few issues
 CRIME IS AT all time high, noise pollution
 at night, parking a major issue, I see
 DRUNKS sitting at the bus stop all day,
 the bus stop is directly opposite the shop.
 Granting a license would worsen the issue
 people catching the bus get scared waiting for
 buses to come with DRUNKS vomiting everywhere.
 The sign is not good for the area, my sister
 walks past the bus stop + shop to go to
 school for her to see MORE DRUNKS at
 all hours outside the bus stop + shop is not
 what the area needs in a Muslim area
 families are concerned with what extra issues
 that could be created with the shop asking for
 to save Alconsl from Tax-Rent night, Area
 needs solution for CRIME PREVENTION, not
 making it worse.

Thanks
 [REDACTED]

RECEIVED

- 7 FEB 2019

PREMISES TEAM

Dear Sirs,

I am writing this letter to object to the
off licence application for 374 Cheltham Hill Road,
[REDACTED]

[REDACTED] I have great concern
for another off licence to open in closer proximity to
our houses. There are already a lot of problems with
crime in the area. This new off licence will cause
more not to mention parking issues and noise til all
hours as they have requested a licence until midnight.

I can foresee gangs hanging outside until all
hours. There are already issues with alcohol and
violence in the area. The shop in question has had
an armed robbery a few months back, where a staff
member working there nearly died from knife wounds.

[REDACTED] My
neighbours who are very elderly are already worried in
leaving their house, and will be more so if this off licence
gets granted.

Please consider the residents of the area and
their safety when making a decision

Yours sincerely

[REDACTED]

From: [REDACTED]
Date: Sat, 9 Feb 2019 at 19:16
Subject: Letter of Objection Application - Type: Premises Licence (new) Reference: 225671/RP5
To: premises.licensing@manchester.gov.uk
<premises.licensing@manchester.gov.uk>

09/02/2019

Manchester City Council
Licensing Department

Dear Sir / Madam

**Re: General Convenience Store, 374 & 374a Cheetham Hill Road, Manchester, M8 9LS
Reference: 225671/RP5**

This is an objection in reference to the new application by Ms Rojin Mohammadi for **374 & 374a Cheetham Hill Road, Manchester, M8 9LS** to sell alcohol between the hours of Sun to Thu 7am to 11pm and Fr & Sat 7am to 12 midnight (7 days a week).

Prevention of Crime and Disorder.

Opening and an alcohol licenced premises will draw unwelcome attention and increased footfall at unsociable hours to a residential area.

Noise, public nuisance, anti-social behaviour, low-level nuisance (non reportable crime inc. shouting, swearing, urination in public, littering) will be increased.

Public Nuisance / Public Safety.

Late opening times in a quiet, residential area will unnecessarily draw people from a wider area at unsociable hours. Signage will be visible which will add to the additional draw of pedestrians and vehicles.

Noise, light pollution, traffic and traffic noise will all have a negative impact.

Additional traffic, to an already busy main road and a one way road on the junction of Esmond Road to Cheetham Hill Rd (where the property is situated) will have serious public safety implications.

The proposed site has no parking. Customers will have to either use the main road (Cheetham Hill Rd) or the side road (Esmond Rd) which is one way and is a no entry from the main Road. This will in turn increase road safety issues, particularly bearing in mind that Esmond Road will be used if no spaces are available on Cheetham Hill Rd and cars will subsequently drive into the no entry just to park up. The alternate route around to the shop is a left turn 200 meters south and then a drive through a residential area. There is a bus stop opposite so any cars stopping across the road will pose a further danger.

The Protection of Children from Harm.

The license conflicts with the amenities available to children in the area, putting them at risk from anti-social behaviour, increased littering, rodent and fox infestations, exposure to the marketing and sale of alcohol and cigarettes, increased potential for road traffic incidents.

The proposed site lies en route for many school children walking to the local high school which results in a high footfall number twice a day with children exposed to these dangers.

Thank you for taking the time to seriously consider these objection.

Yours sincerely,



premises.licensing@manchester.gov.uk

RE: Objection to Premises license application by Rojin Mohammadi for 374-374A Cheetham Hill Road, Manchester, M8 9LS.

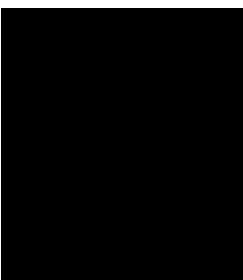
I am writing to register my objection to grant a premises licence to the above applicant for the above mentioned premises.

The reason for my objection is as follows:

1. Granting a license for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
2. Based on the demographic of the residents within the vicinity, there is no market for such a premises.
3. Granting a license would further provide a source of alcohol within an area already heavily populated with licenced premises. There are already several off-licences locally therefore there is no requirement to fill a 'need' within the area.
4. Residents of this area already suffer from noise nuisance and antisocial behaviour at all hours of day and night coupled with an existing parking problem around the road connecting Esmond Road and Cheetham Hill Road, this general convenience / off licence store will not help this problem.
5. This location was previously targeted for a daylight cash robbery crime as reported in the Manchester evening news: *"Police continue to hunt men who attacked grandad with meat cleaver, Saeed Ahmed, 56, was left with a severed artery following the raid at his business Pound Box on Cheetham Hill Road, north Manchester, last week" 23 AUG 2018*
<https://www.manchestereveningnews.co.uk/news/greater-manchester-news/cheetham-hill-attack-meat-cleaver-15064025>
As most off-license stores hold mostly cash on the premises granting a licence for the sale of such goods, would make the premises a target for similar crimes to take place.

In view of the above, I would urge the licencing authority to refuse the application.

Yours faithfully,




Date: Sun, 10 Feb 2019 at 16:41

Subject: Objection to Premises license application by Rojin Mohammadi for 374-374A Cheetham Hill Road, Manchester, M8 9LS.

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

Dear Sir/Madam,

I am writing to register my objection to grant a premises licence to the above applicant for the above mentioned premises.

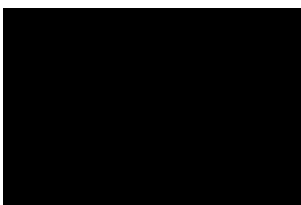
The reason for my objection is as follows:

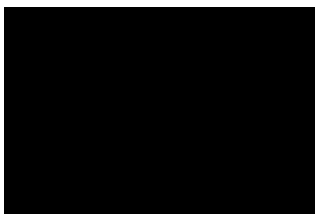
1. Granting a license for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
2. Based on the demographic of the residents within the vicinity, there is no market for such a premises.
3. Granting a license would further provide a source of alcohol within an area already heavily populated with licenced premises. There are already several off-licences locally therefore there is no requirement to fill a 'need' within the area.
4. Residents of this area already suffer from noise nuisance and antisocial behaviour at all hours of day and night coupled with an existing parking problem around the road connecting Esmond Road and Cheetham Hill Road, this general convenience / off licence store will not help this problem.
5. This location was previously targeted for a daylight cash robbery crime as reported in the Manchester evening news: "Police continue to hunt men who attacked grandad with meat cleaver, Saeed Ahmed, 56, was left with a severed artery following the raid at his business Pound Box on Cheetham Hill Road, north Manchester, last week" 23 AUG 2018 <https://www.manchestereveningnews.co.uk/news/greater-manchester-news/cheetham-hill-attack-meatcleaver-15064025>

As most off-license stores hold mostly cash on the premises granting a licence for the sale of such goods, would make the premises a target for similar crimes to take place.

In view of the above, I would urge the licencing authority to refuse the application.

Yours faithfully,





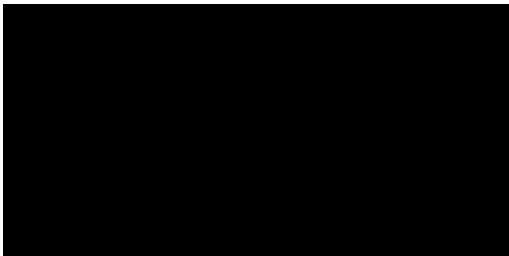
From: [REDACTED]
Date: Wed, 13 Feb 2019 at 15:58
Subject: Objection
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>

To whom It concerns.

I am writing to object to allow a licence at the property 374-374a Cheetham Hill Rd.

Reasons for the objection :

There is already an off licence 6 doors down the road that creates nuisance , crowds of rowdy people and people begging for loose change to purchase alcohol.
The main reason is urinating outside my property from people leaving the off licence as they pass my property.



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

Document is Restricted

This page is intentionally left blank

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<p>General conditions</p> <ol style="list-style-type: none"> 1. A CCTV camera system (which will include 'facial recognition') capable of providing evidential quality images in all lighting conditions shall be used covering the interior and the immediate exterior (entrance) of the premise. Images will be retained for a period of at least 31 days and be made available to the Police as soon as practicable upon request subject to data protection legislation. 2. The CCTV recording equipment shall be kept in a secure environment under the control of the premises licence holder and/or another named responsible individual. 3. The licence holder will be a responsible retailer and a good neighbour to promote the licensing objectives; 4. All staff will be authorised to sell alcohol in writing and a record of the authorisation will be kept in the shop available for inspection. 5. The licence holder will sign up to the Portman Group's retail alert bulletin in respect of the code of practice on the naming, packaging and promotion of alcoholic drinks <p>Crime and Disorder</p> <ol style="list-style-type: none"> 1. The DPS and other staff will be vigilant and monitor the area immediately outside the shop to ensure that youths do not cause annoyance by congregating. 2. Spirits will be kept behind the counter and not available for self-service by customers. 3. Incidents of crime and disorder at the premises, witnessed by staff, will be recorded in an incident book kept at the shop, this book will be available for inspection. 4. The shop shall operate a refusals policy as follows - alcohol will not be sold to; <ol style="list-style-type: none"> a) Any person recognised or identified as a street drinker (regardless of their level of inebriation at the time); b) Any person found to be drinking alcohol in the street; c) Any person who is drunk or appears to be drunk; d) Any person suspected of trying to buy alcohol for another person who is drunk or appears to be drunk; e) Any person unable to provide valid ID when requested by staff; f) Any person who is verbally or physically abusive towards staff or customers. 	N/A	Applicant

Schedule of Licence Conditions

<p>g) To any person suspected of trying to buy alcohol for another person(s) who may be under age.</p> <ol style="list-style-type: none"> 5. A notice advising customers of the refusals policy shall be on display. 6. A written recruitment procedure will be in place which includes the steps that will be taken by the licence holder to check the immigration status and the eligibility of an individual to work in the UK in accordance with the Home Office Guidance for employers on preventing illegal working in the UK. 7. 'Crime stoppers' literature shall be displayed within the shop. <p>Public safety</p> <ol style="list-style-type: none"> 1. Appropriate fire safety equipment to be available. 2. The licence holder shall comply with other legislative requirements to ensure that the shop is safe for customers and staff. <p>Public nuisance</p> <ol style="list-style-type: none"> 1. The DPS and other staff will be vigilant and monitor the area immediately outside the shop to ensure that youths do not congregate. 2. Any deliveries to the shop will be arranged during hours which will not lead to any public nuisance. 3. Notices will be on display in the shop asking customers to leave the shop quietly. 4. Staff will monitor the area immediately outside the shop on a regular basis to check for litter. <p>Protection of children from harm</p> <ol style="list-style-type: none"> 1. The licence holder shall ensure that anyone who appears to be under 25 who attempts to purchase alcohol will be asked to prove their age by producing an acceptable form of photographic ID such as a passport, photo driving licence, military ID and PASS accredited proof of age cards. 2. A refusals register (for the sale of alcohol) will be kept and maintained and be made available for inspection by responsible authorities. 3. Notices shall be displayed in the premises where they can be seen clearly to advise customers that it is unlawful for persons under 18 to purchase alcohol or for any persons to purchase alcohol on behalf of a person under 18 years of age. 4. A due diligence checklist (aimed at preventing any underage sales) will be kept and be available for inspection by responsible authorities. 5. A documented training scheme shall be used for all staff authorised to sell alcohol. The training will 		
---	--	--

Schedule of Licence Conditions

<p>emphasise the importance of preventing under age sales and complying with licence conditions. Refresher training shall be provided annually, records will be kept and be made available to responsible authorities upon request.</p>		
Conditions proposed by objectors	Agreed	Proposed by
<p>From</p> <p>A CCTV camera system (which will include 'facial recognition') capable of providing evidential quality images in all lighting conditions shall be used covering the interior and the immediate exterior (entrance) of the premise. Images will be retained for a period of at least 31 days and be made available to the Police as soon as practicable upon request subject to data protection legislation.</p> <p>The CCTV recording equipment shall be kept in a secure environment under the control of the premises licence holder and/or another named responsible individual.</p> <p>To</p> <p>A CCTV system (which will include facial recognition) capable of providing evidential quality images in all lighting conditions shall be used covering the interior and the immediate exterior (entrance) of the premise. The CCTV cameras shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of [31] days with the date and time stamping.</p> <p>Cameras will cover the full interior of the premises with no blind spots, and directly to the front outside area of the premises. A CCTV monitor will be positioned near the entrance to the premises so that staff are able to monitor the images.</p> <p>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.</p> <p>Any footage must be in a format that can be played back on a standard personal computer or standard DVD player.</p>	No	Licensing and Out of Hours

Schedule of Licence Conditions

<p><u>From</u> The DPS and other staff will be vigilant and monitor the area immediately outside the shop to ensure that youths do not cause annoyance by congregating.</p> <p><u>To</u> All employees will be vigilant and monitor the area immediately outside the shop to ensure that members of the public do not cause annoyance by congregating.</p> <p><u>From</u> Appropriate fire safety equipment to be available. The licence holder shall comply with other legislative requirements to ensure that the shop is safe for customers and staff.</p> <p><u>To</u> Appropriate fire safety equipment to be made available and is inspected and serviced in line with the appropriate British Standard annually and is documented.</p> <p>Conduct a Fire Risk Assessment for the premises, which is reviewed as required, and as a minimum every 12 months.</p> <p><u>From:</u> Staff will monitor the area immediately outside the shop on a regular basis to check for litter.</p> <p><u>To</u> Staff will monitor the pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept or washed, and litter and sweepings collected and stored in accordance with the approved waste storage arrangements. The area will be checked at the start & finish of the working day, and periodically throughout the day.</p> <p><u>From</u> Any deliveries to the shop will be arranged during hours which will not lead to any public nuisance.</p> <p><u>To</u> Deliveries to the premises shall be conducted in a manner that will not cause a nuisance to the occupiers of any residential properties surrounding the delivery address and deliveries shall be made at a time which will not lead to any public nuisance.</p>		
--	--	--

Schedule of Licence Conditions

<p><u>From</u></p> <p>A documented training scheme shall be used for all staff authorised to sell alcohol. The training will emphasise the importance of preventing under age sales and complying with licence conditions. Refresher training shall be provided annually, records will be kept and be made available to responsible authorities upon request.</p> <p><u>To</u></p> <p>In addition to any other training, the premises licence holder shall ensure that all staff are trained to prevent underage sales, are aware of and prevent proxy sales, recognising signs of drunkenness & refusing the sale, complying with licence conditions, maintain the refusals log, and that they monitor staff to ensure their training is put into practice.</p> <p>All training will be documented, signed and dated and refreshed at least every 6months, and will be made available to authorised officers upon request.</p> <p>A log shall be kept at the premises to record all refused/ challenged sales of alcohol. The log shall record the date and time of the refusal/ challenge, reason for challenge/ refusal and the name of the member of staff dealing. The log will be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.</p> <p><u>Additional Conditions</u></p> <ul style="list-style-type: none"> - Staff will be monitor the outside area to identify any potential proxy purchasing concerns. - The premises will display prominent notices in the premises explaining the law in relation to purchasing alcohol on behalf of persons under 18 and the penalties involved. - The premises shall display prominent signage indicating at any point of sale that it is an offence to sell alcohol to anyone who is drunk. 		
--	--	--

This page is intentionally left blank

**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 11 March 2019

Subject: Pop Up Event Space and Screening Room, Level 1, Bonded Warehouse, 18 Lower Byrom Street, Manchester, M3 4AP - (App ref: Premises Licence (new) 225745)

Report of: Head of Planning, Building Control and Licensing

Summary

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

Recommendations

That the Panel determine the application.

Wards Affected:

Deansgate

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

A connected city: world class infrastructure and connectivity to drive growth	
---	--

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

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

Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 17/01/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Pop Up Event Space and Screening Room, Level 1, Bonded Warehouse, 18 Lower Byrom Street, Manchester, M3 4AP in the Deansgate ward of Manchester. A location map and photograph 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 All Work and Social Bonded Limited.
- 2.3 The description of the premises by the applicant is "Pop up event space and screening room located at Level 1 of the Bonded Warehouse."
- 2.4 The proposed designated premises supervisor is Mr Anthony Powell.
- 2.5 **The licensable activities applied for:**

Provision of regulated entertainment (plays, 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 7am to 1am

Provision of late night refreshment:
Mon to Sun 11pm to 1.30am

The supply of alcohol for consumption both on and off the premises:
Mon to Sun 7am to 1am

Opening hours:
Mon to Sun 7am to 1.30am

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

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**.

2.8 **Further documentation accompanying the application**

2.8.1 The applicant has submitted the following documents in support of their application, which are included with the application form at **Appendix 2**:

- Smoking and Al Fresco Dining Policy
- Dispersal Policy

3. **Relevant Representations**

3.1 One relevant representation was received in respect of the application (**Appendix 3**). This representation will be available to the Panel at the hearing.

Other Persons:

- Deansgate Ward Councillors;

3.2 Summary of the representation:

Party	Grounds of representation	Recommends
Deansgate Ward Councillors	<p>Concerns are raised as follows:</p> <ul style="list-style-type: none"> • There will be noise disturbance in the early hours of the morning. The hours are “thought to be unsuitable for an area with such a high level of residential accommodation given the potential for the nuisance of late night and early morning noise”. • There has been a “dramatic fall in the number of residential units proposed, and a considerable decline in the proportion of owner occupation which is likely to occur”, Existing residents are concerned that this will impact on the nature of the area which is likely to become known for hosting late night venues. • Councillors and residents would like more information regarding the nature of the “work-related events” proposed at the venue 	None

3.3 No conditions have been proposed by objectors.

3.4 No agreements have been reached with objectors.

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:

- 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

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 Effective general management of the premises

MS8 Prevent noise nuisance from the premises

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

5. Conclusion

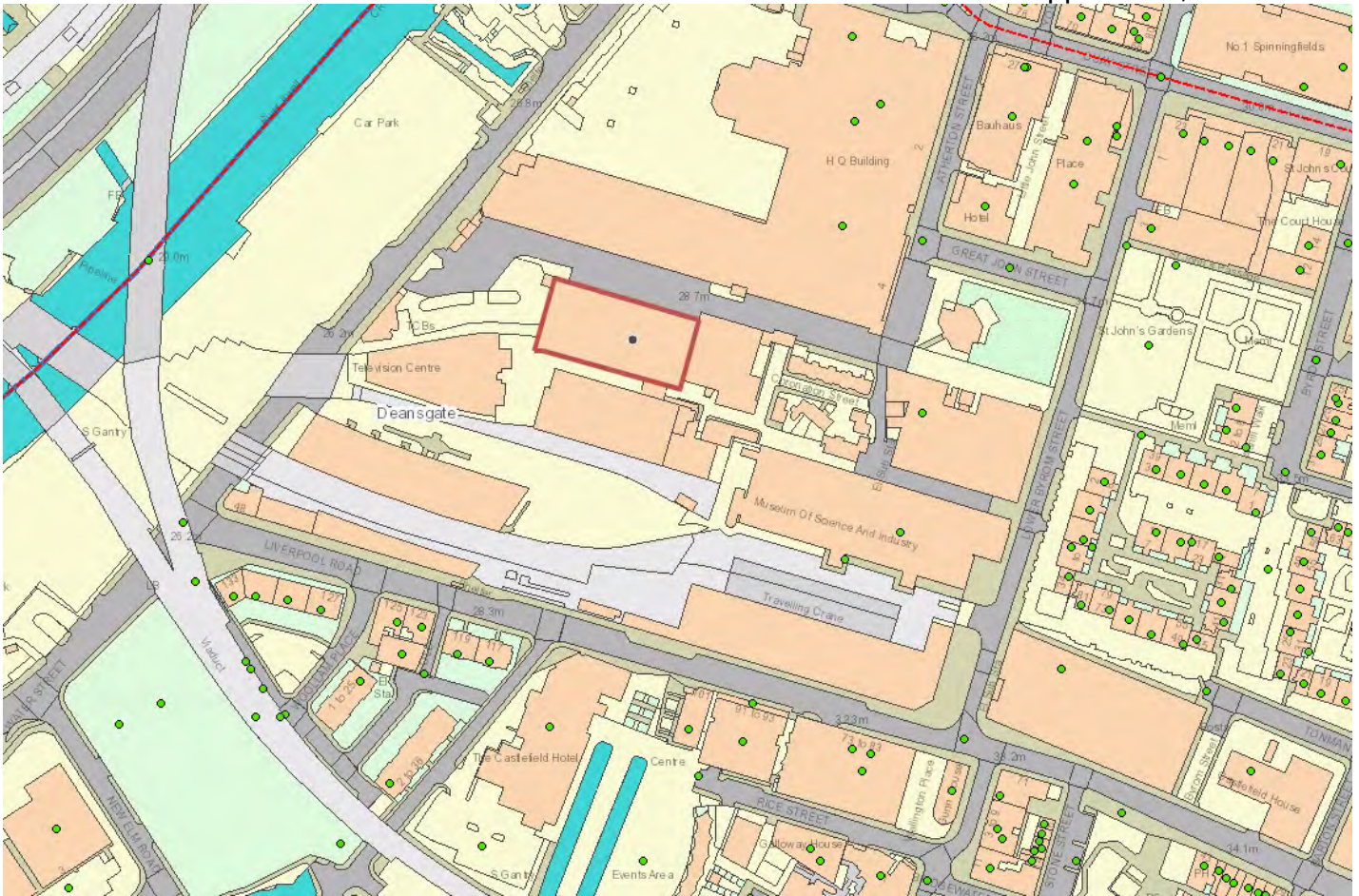
- 5.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 5.2 In considering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

This page is intentionally left blank



PREMISE NAME:	Pop Up Event Space and Screening Room
PREMISE ADDRESS:	Level 1, Bonded Warehouse, 18 Lower Byrom Street, Manchester, M3 4AP
WARD:	Deansgate
HEARING DATE:	11/03/2019



Pop Up Event Space and Screening Room
Level 1, Bonded Warehouse, 18 Lower Byrom Street,
Manchester, M3 4AP

**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 All Work and Social Bonded 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 Pop Up Event Space and Screening Room, Level 1, Bonded Warehouse, 18 Lower Byrom Street			
Post town	Manchester	Postcode	M3 4AP
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£Unknown	

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

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

(B) OTHER APPLICANTS

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

Name All Work and Social Bonded Limited
Address c/o Allied London, No.1 Spinningfields, Level 12, 1 Hardman Square, Manchester, M3 3EB
Registered number (where applicable) 11120439
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited 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
15	02	2019

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)

Pop up event space and screening room located at Level 1 of the Bonded Warehouse.

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

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



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



In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon	07:00	01:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	07:00	01:00			
Wed	07:00	01:00	<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur	07:00	01:00			
Fri	07:00	01:00	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6) From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Sat	07:00	01:00			
Sun	07:00	01:00			

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	07:00	01:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	07:00	01:00			
Wed	07:00	01:00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur	07:00	01:00			
Fri	07:00	01:00	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6) From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Sat	07:00	01:00			
Sun	07:00	01:00			

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

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

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	07:00	01:00	Please give further details here (please read guidance note 4)		
Tue	07:00	01:00			
Wed	07:00	01:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	07:00	01:00			
Fri	07:00	01:00	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 (please read guidance note 6) From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Sat	07:00	01:00			
Sun	07:00	01:00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	07:00	01:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	07:00	01:00			
Wed	07:00	01:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	07:00	01:00			
Fri	07:00	01:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Sat	07:00	01:00			
Sun	07:00	01:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	07:00	01:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	07:00	01:00			
Wed	07:00	01:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur	07:00	01:00			
Fri	07:00	01:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6) From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Sat	07:00	01:00			
Sun	07:00	01:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	07:00	01:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	07:00	01:00	<u>Please give further details here</u> (please read guidance note 4)		
Wed	07:00	01:00			
Thur	07:00	01:00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri	07:00	01:00			
Sat	07:00	01:00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun	07:00	01:00			

I

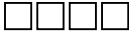
Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23:00	01:30	<u>Please give further details here</u> (please read guidance note 4)		
Tue	23:00	01:30			
Wed	23:00	01:30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23:00	01:30			
Fri	23:00	01:30	<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> (please read guidance note 6) From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Sat	23:00	01:30			
Sun	23:00	01:30			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	07:00	01:00			
Tue	07:00	01:00			
Wed	07:00	01:00			
Thur	07:00	01:00			
Fri	07:00	01:00			
Sat	07:00	01:00			
Sun	07:00	01:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
			From the start time on New Year's Eve to the terminal hour for New Year's Day.		

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 Anthony Powell	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) 191258	
Issuing licensing authority (if known) Manchester City 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).

n/a

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p>State any seasonal variations (please read guidance note 5)</p>
Day	Start	Finish	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p> <p>From the start time on New Year’s Eve to the terminal hour for New Year’s Day.</p>
Mon	07:00	01:30	
Tue	07:00	01:30	
Wed	07:00	01:30	
Thur	07:00	01:30	
Fri	07:00	01:30	
Sat	07:00	01:30	
Sun	07:00	01:30	

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

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

Please see attached operating schedule and policies.

(now included at end of this document)

b) The prevention of crime and disorder

Please see attached operating schedule and policies.

c) Public safety

Please see attached operating schedule and policies.

d) The prevention of public nuisance

Please see attached operating schedule and policies.

e) The protection of children from harm

Please see attached operating schedule and policies.

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.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).
--------------------	--

	<ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	████████████████████
Date	17 th January 2019
Capacity	Solicitors and Authorised Agents

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
████████████████████			
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:
 - 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.

OPERATING SCHEDULE**Level 1 Pop Up/Events Space/Screening Room****A) The Prevention of Crime and Disorder**

1. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.
2. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
3. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
4. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
5. Plans indicating the position of CCTV cameras to be submitted to the Police prior to the premises opening.
6. 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.
7. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - (i) the number of door staff on duty;
 - (ii) the identity of each member of door staff;
 - (iii) the times the door staff are on duty.
8. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.
9. Staff will be trained in the requirements of the Licensing Act 2003 in relation to the licensing objectives, and the laws relating to under age sales and the sale of alcohol to intoxicated persons, and that training shall be documented and repeated at 6 monthly intervals.
10. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.

B) Public Safety

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

C) The Prevention of Public Nuisance

1. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
3. The exterior of the building shall be cleared of litter at regular intervals.
4. Notices will be positioned at the exits to the premises and the public exits to the building requesting customers to leave in a quiet manner.
5. A Dispersal and Smoking Policy will be implemented and adhered to (see attached).
6. The emptying of bins into skips, and refuse collections will not take place between 11pm and 8am.

D) The Protection of Children From Harm

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

BONDED WAREHOUSE – LEVEL 1
SMOKING & AL FRESCO DINING POLICY

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

BONDED WAREHOUSE – LEVEL 1**DISPERSAL POLICY**

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

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

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

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

From: **Councillor Joan Davies** <cllr.j.davies@manchester.gov.uk>
Date: Thu, 14 Feb 2019 at 23:49
Subject: Representation Bonded Warehouse
To: Premises Licensing <premises.licensing@manchester.gov.uk>
Cc: Councillor William Jeavons <cllr.william.jeavons@manchester.gov.uk>, Councillor Marcus Johns <cllr.marcus.johns@manchester.gov.uk>

Please find attached a representation from the three Deansgate Councillors which relates to three of the four applications under consultation for the Bonded Warehouse.

Could you please acknowledge receipt, and also inform us of the date of the hearing.

Thank you.

Joan Davies

Representations relating to the following three licence applications

1. Event Space, Level 6, Bonded Warehouse, Lower Byrom Street
Reference: 225742/RP5
2. Pop Up Event Space and Screening Room, Level 1, Bonded Warehouse, 18 Lower Byrom Street
Reference: 225745/HH1
3. Event Space, Level 3, Bonded Warehouse, 18 Lower Byrom Street
Reference: 225748/PW5

All the above applications request the premises be open until 3.30am and serve alcohol until 3.00am

A further application

4. Coffee Shop and Wine Bar, Level 3, Bonded Warehouse, 18 Lower Byrom Street
Reference: 225751/LD2

requests opening until 11.30pm with alcohol sales until 11.00pm. This fourth application is not objected to, but is referenced here to show the context.

Applicant: All Work and Social Bonded Limited

These premises are all located in The Bonded Warehouse located in the former Granada site, now being redeveloped as St John's. Appropriate redevelopment of this magnificent building, listed as Grade 2 in July 2018 is vital to the success of the area. The Granada site was to be developed as a mixed use area, including residential, offices, workshops and The Factory, a new large Arts Centre.

It now appears that there will be fewer residential units in the overall site than previously intended. There are long-standing neighbours in the vicinity, notably in Liverpool Road and across Lower Byrom Street in the St John's Gardens development. This wider neighbourhood has been residential for some time. St John's Gardens was a Manchester City Council initiative in the late 1970s designed to bring residential accommodation back to the city centre. The neo-Georgian apartments on Liverpool Road came later. Both developments are low rise and experience little direct disturbance from the current level of bars and restaurants in the area, which close at generally reasonable hours. These developments do not have the same level of sound proofing which is being installed in modern city centre developments.

Deansgate Councillors have three main concerns, all relating to the issue of public nuisance.

1. The late hours of 3.00/3.30am are not common in the area. They may be common elsewhere, but not here. There is concern that there will be noise disturbance in the early hours of the morning from customers moving between the nearby Spinningfields and the Bonded Warehouse. There is further concern that the dispersal policy has not been shared with local residents. The dispersal policy needs to address the fact that during the early years of opening the construction site for The Factory will limit dispersal options and customers leaving at late hours will disturb residents who need to work the following day. Whatever the dispersal policy, these hours are thought to be unsuitable for an area with such a high level of residential accommodation given the potential for the nuisance of late night and early morning noise.
2. One of the applications is for level 6 of the Bonded Warehouse. At this height noise will carry across the roofs of the adjacent building and find its way to existing nearby residential buildings. This aspect of noise dispersal is often unrecognised. We do not know of any measures being installed in the building to prevent noise escape. In fact there is currently no recent planning permission nor live application for level 6 of this building. While we recognise that planning and licensing applications and

decisions are separate matters, we do have concerns that such a late licence has been applied for in a listed building with, as far as we know, no physical intervention to minimise noise escape.

3. Changing the nature of the area. Local residents realise that the former Granada site is changing and that there will be positive and negative aspects for them. However the number of late licences being applied for is worrying. As well as 20 Stories, there is now a late licence for the hotel and diner at the former Granada House as well as a relatively late licence at the new cinema in Astley and Byrom House. In the early stages of development the clear message was that there would be controls on late night disturbance because the new residents of the new St John's buildings would not wish to be disturbed at unreasonable hours. Now that there has been a dramatic fall in the number of residential units proposed, and a considerable decline in the proportion of owner occupation which is likely to occur, existing residents are concerned that current plans will turn the area into one known for hosting late night venues.

We are told that these licences are to provide for work-related events. Councillors and residents need more clarity on how often these might be operated, the capacity of each space, and whether they could link up with firms sponsoring events at The Factory, pushing into later departure times for guests enjoying corporate hospitality.

This representation is submitted by Councillor Joan Davies and supported by Councillors William Jeavons and Marcus Johns.

This page is intentionally left blank

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally. 2. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request. 3. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player. 4. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request. 5. Plans indicating the position of CCTV cameras to be submitted to the Police prior to the premises opening. 6. 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. 7. When employed, a register of those door staff employed shall be maintained at the premises and shall include: <ol style="list-style-type: none"> 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. 8. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area. 9. Staff will be trained in the requirements of the Licensing Act 2003 in relation to the licensing objectives, and the laws relating to under age sales and the sale of alcohol to intoxicated persons, and that training shall be documented and repeated at 6 monthly intervals. 10. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request. 11. A first aid box will be available at the premises at all times. 12. Regular safety checks shall be carried out by staff. 13. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations. 14. The premises shall maintain an Incident Log and public liability insurance. 15. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises. 16. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. 17. The exterior of the building shall be cleared of litter at regular intervals. 18. Notices will be positioned at the exits to the premises and the public exits to the building requesting customers to leave in a 	N/A	Applicant

Schedule of Licence Conditions

quiet manner.

19. A Dispersal and Smoking Policy will be implemented and adhered to (see below).
20. The emptying of bins into skips, and refuse collections will not take place between 11pm and 8am.
21. A "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram.
22. Staff training will include the Challenge 21 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.
23. Notices advising what forms of ID are acceptable must be displayed.
24. Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.

Policies (for information)

Smoking and Al Fresco Dining Policy

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

Dispersal Policy

The purpose of this Dispersal Policy is to ensure, so far as it is possible, that minimum disturbance or nuisance is caused to our neighbours and to ensure that the operation of the premises makes the minimum impact upon the neighbourhood in relation to potential nuisance and anti-social behaviour.

Schedule of Licence Conditions

<p>This will be achieved by exercising pro-active measures towards and at the end of the evening.</p> <p>By ensuring that this Dispersal Policy document is brought to the attention of Management and Staff we will seek to encourage the efficient, controlled and safe dispersal of our patrons during our closing period.</p> <ul style="list-style-type: none"> • At the end of the evening management and staff will assist with the orderly and gradual dispersal of patrons. • Staff Members (including door personnel when employed) will advise patrons to leave the premises quickly and quietly out of respect for our neighbours. • Notices will be displayed requesting our customers to leave quietly and in an orderly manner out of consideration to neighbours and their attention will be drawn to these notices by members of staff. • We will ensure the removal of all bottles and drinking receptacles from any patron before exiting the premises (this does not apply in the case of alcohol sold for the purpose of consumption in any delineated external area or in the case of alcohol sold for the purpose of consumption off the premises). • We will actively discourage our customers from assembling outside the premises at the end of the evening. 		
<p>Conditions proposed by objectors</p>	<p>None</p>	

This page is intentionally left blank

**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 11 March 2019

Subject: Event Space, Level 3, Bonded Warehouse, 18 Lower Byrom Street, Manchester, M3 4AP - (App ref: Premises Licence (new) 225748)

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

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

A connected city: world class infrastructure and connectivity to drive growth	
---	--

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

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

Background documents (available for public inspection):

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

1. **Introduction**

- 1.1 On 17/01/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Event Space, Level 3, Bonded Warehouse, 18 Lower Byrom Street, Manchester, M3 4AP in the Deansgate ward of Manchester. A location map and photograph 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 All Work and Social Bonded Limited.
- 2.3 The description of the premises by the applicant is Event Space on level 3 of the bonded warehouse.
- 2.4 The proposed designated premises supervisor is Mr Anthony Powell
- 2.5 **The licensable activities applied for:**

Provision of regulated entertainment (plays, 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 7am to 3am

Provision of late night refreshment:

Mon to Sun 11pm to 3.30am

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

Mon to Sun 7am to 3am

Opening hours:

Mon to Sun 7am to 3.30am

Non-standard Timings:

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

On the day that British Summer Time commences, one additional hour to disapply its effect.

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**.

2.8 **Further documentation accompanying the application**

2.8.1 The applicant has submitted the following documents in support of their application, which are included with the application form at **Appendix 2**:

- Smoking Policy
- Dispersal Policy

3. **Relevant Representations**

3.1 A total of 2 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:

- MCC Licensing and Out of Hours Compliance Team

Other Persons:

- Deansgate Ward Councillors

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	Concerns regarding public nuisance and the effect on local residents.	Grant with conditions
Deansgate Ward Councillors	Concerns regarding public nuisance due to the terminal hour of 3am/3.30am and the potential for noise disturbance from customer arrival and dispersal.	None

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

3.4 Agreements on conditions have not been reached.

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
- Proximity of takeaways and licences to nightlife entertainment areas
- 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

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
- MS7 Maintain a safe capacity
- MS8 Prevent noise nuisance from the premises

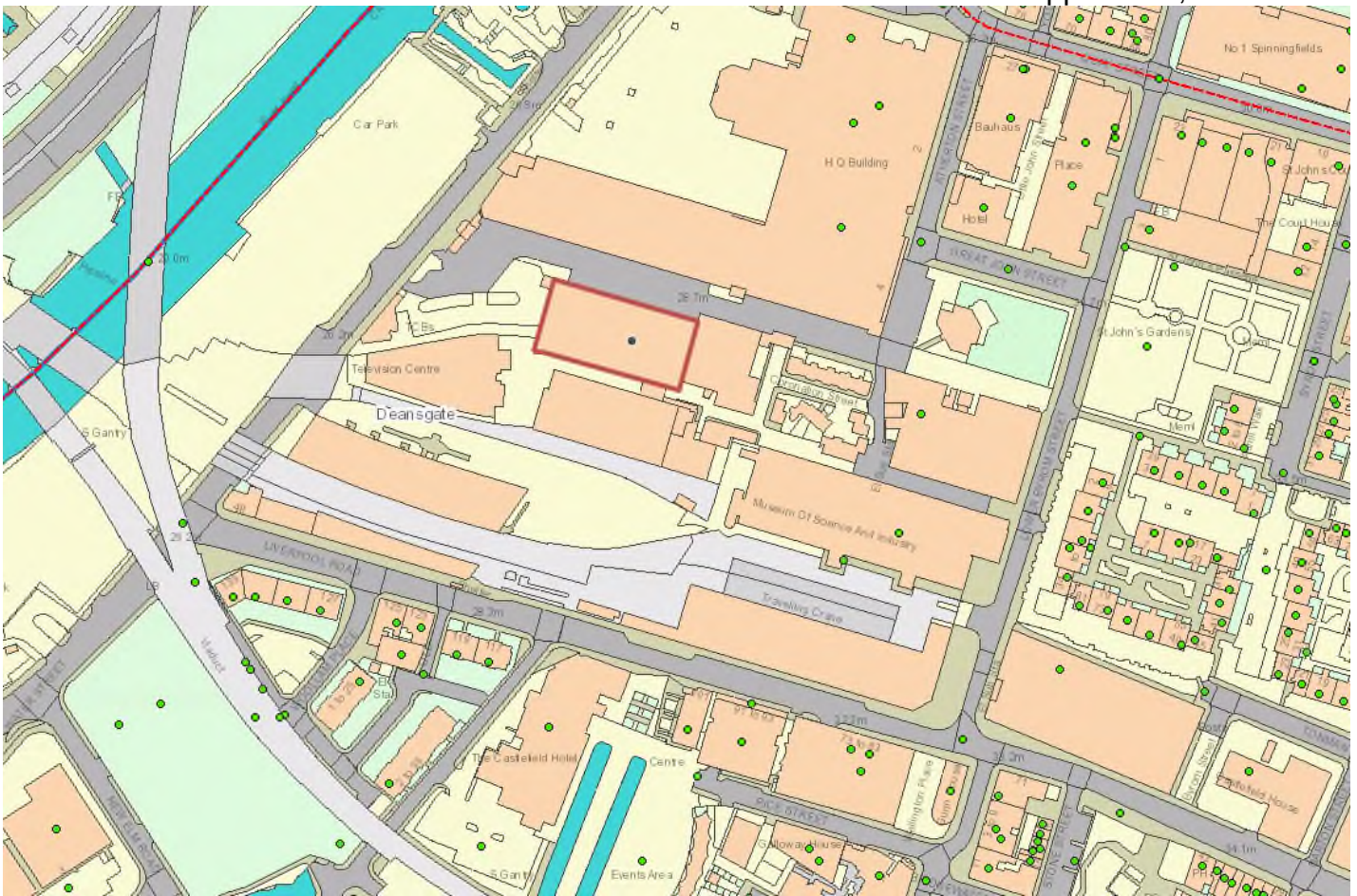
- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible 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.

This page is intentionally left blank



Event Space
Level 6, Bonded Warehouse, 18 Lower Byrom Street,
Manchester, M3 4AP



PREMISE NAME:	Event Space
PREMISE ADDRESS:	Level 3, Bonded Warehouse, 18 Lower Byrom Street, Manchester, M3 4AP
WARD:	Deansgate
HEARING DATE:	

**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 All Work and Social Bonded 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 Event Space, Level 3, Bonded Warehouse, 18 Lower Byrom Street			
Post town	Manchester	Postcode	M3 4AP
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£Unknown	

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

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

(B) OTHER APPLICANTS

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

Name All Work and Social Bonded Limited
Address c/o Allied London, No.1 Spinningfields, Level 12, 1 Hardman Square, Manchester, M3 3EB
Registered number (where applicable) 11120439
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited 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
1	5	02 2019

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)

Event space on Level 3 of the Bonded warehouse – the area shaded pink on the attached plan.

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

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



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



In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon	07:00	03:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	07:00	03:00			
Wed	07:00	03:00	<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur	07:00	03:00			
Fri	07:00	03:00	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	07:00	03:00			
Sun	07:00	03:00			
			From the start time on New Year's Eve to the terminal hour for New Year's Day.		
			On the day that British Summer Time commences, one additional hour to disapply its effect.		

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	07:00	03:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	07:00	03:00			
Wed	07:00	03:00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur	07:00	03:00			
Fri	07:00	03:00	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6) From the start time on New Year's Eve to the terminal hour for New Year's Day. On the day that British Summer Time commences, one additional hour to disapply its effect.		
Sat	07:00	03:00			
Sun	07:00	03:00			

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			<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)
Thur			
Fri			
Sat			
Sun			

D

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

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	07:00	03:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	07:00	03:00			
Wed	07:00	03:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	07:00	03:00			
Fri	07:00	03:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	07:00	03:00	From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Sun	07:00	03:00	On the day that British Summer Time commences, one additional hour to disapply its effect.		

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	07:00	03:00			
Tue	07:00	03:00			
Wed	07:00	03:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	07:00	03:00			
Fri	07:00	03:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) From the start time on New Year's Eve to the terminal hour for New Year's Day. On the day that British Summer Time commences, one additional hour to disapply its effect.		
Sat	07:00	03:00			
Sun	07:00	03:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	07:00	03:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	07:00	03:00			
Wed	07:00	03:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur	07:00	03:00			
Fri	07:00	03:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	07:00	03:00			
Sun	07:00	03:00			
			From the start time on New Year's Eve to the terminal hour for New Year's Day.		
			On the day that British Summer Time commences, one additional hour to disapply its effect.		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	07:00	03:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	07:00	03:00	<u>Please give further details here</u> (please read guidance note 4)		
Wed	07:00	03:00			
Thur	07:00	03:00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri	07:00	03:00			
Sat	07:00	03:00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun	07:00	03:00	From the start time on New Year's Eve to the terminal hour for New Year's Day.		
			On the day that British Summer Time commences, one additional hour to disapply its effect.		

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23:00	03:30	<u>Please give further details here</u> (please read guidance note 4)		
Tue	23:00	03:30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed	23:00	03:30	<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> (please read guidance note 6)		
Thur	23:00	03:30	From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Fri	23:00	03:30	On the day that British Summer Time commences, one additional hour to disapply its effect.		
Sat	23:00	03:30			
Sun	23:00	03:30			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	07:00	03:00	<p>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)</p> <p>From the start time on New Year's Eve to the terminal hour for New Year's Day.</p> <p>On the day that British Summer Time commences, one additional hour to disapply its effect.</p>		
Tue	07:00	03:00			
Wed	07:00	03:00			
Thur	07:00	03:00			
Fri	07:00	03:00			
Sat	07:00	03:00			
Sun	07:00	03:00			

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 Anthony Powell	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) 191258	
Issuing licensing authority (if known) Manchester City 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).

n/a

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	07:00	03:30	
Tue	07:00	03:30	
Wed	07:00	03:30	
Thur	07:00	03:30	
Fri	07:00	03:30	
Sat	07:00	03:30	
Sun	07:00	03:30	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

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

On the day that British Summer Time commences, one additional hour to disapply its effect.

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

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

Please see attached operating schedule and policies.

b) The prevention of crime and disorder

Please see attached operating schedule and policies.

c) Public safety

Please see attached operating schedule and policies.

d) The prevention of public nuisance

Please see attached operating schedule and policies.

e) The protection of children from harm

Please see attached operating schedule and policies.

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.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).
--------------------	--

	<ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	Kuit Steinart Levy LLP
Date	17 th January 2019
Capacity	Solicitors and Authorised Agents

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Kuit Steinart Levy LLP, 3 St Mary's Parsonage			
Post town	Manchester	Postcode	M3 2RD
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

- 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:
 - 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.

OPERATING SCHEDULE
Event Space – Level 3

A) The Prevention of Crime and Disorder

1. The premises shall only be accessible to members/tenants of the co-working space located in the Bonded Warehouse or to persons attending pre-booked or pre-scheduled events.
2. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.
3. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
4. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
5. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
6. Plans indicating the position of CCTV cameras to be submitted to the Police prior to the premises opening.
7. 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.
8. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - (i) the number of door staff on duty;
 - (ii) the identity of each member of door staff;
 - (iii) the times the door staff are on duty.
9. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.
10. Staff will be trained in the requirements of the Licensing Act 2003 in relation to the licensing objectives, and the laws relating to under age sales and the sale of alcohol to intoxicated persons, and that training shall be documented and repeated at 6 monthly intervals.
11. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.

B) Public Safety

1. A first aid box will be available at the premises at all times.
2. Regular safety checks shall be carried out by staff.
3. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.

4. The premises shall maintain an Incident Log and public liability insurance.

C) The Prevention of Public Nuisance

1. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
3. The exterior of the building shall be cleared of litter at regular intervals.
4. Notices will be positioned at the exits to the premises and the public exits to the building requesting customers to leave in a quiet manner.
5. A Dispersal and Smoking Policy will be implemented and adhered to (see attached).
6. The emptying of bins into skips, and refuse collections will not take place between 11pm and 8am.

D) The Protection of Children From Harm

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



Consent of individual to being specified as Designated Premises Supervisor

IAnthony Powell
.....
[full name of prospective Designated Premises Supervisor]

Of

.....
[home address of prospective Designated Premises Supervisor]

My date of birth is:
.....

I was born in:Oldham
.....
[place of birth of prospective Designated Premises Supervisor]

Contact telephone number:
.....

Hereby confirm that I give my consent to being specified as the Designated Premises Supervisor in relation to the application for

Application for a New Premises Licence
.....
[type of application]

relating to a Premises Licence **TRC**
[number of existing Premises Licence]

for **EVENT SPACE, LEVEL 3 BONNED WAREHOUSE, 18 LOWER BYROM STREET, MANCHESTER, M3 4AP.**

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

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

and any Premises Licence to be granted or varied in respect of this application made by

ALL WOLICANO SOCIAL BONDED LIMITED

.....
[name of applicant]

concerning the supply of alcohol at

EVENT SPACE, LEVEL 3, BONDED WAREHOUSE
18 LOWER BYROM STREET, MANCHESTER,
M3 4AP.

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

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a Personal Licence, details of which I set out below.

Personal Licence number
191258

Personal Licence Issuing Authority

Manchester City Council

Signed:



Name (please print) Anthony Powell

Date:

11/11/18.....

BONDED WAREHOUSE – EVENT SPACE LEVEL 3

DISPERSAL POLICY

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

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

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

BONDED WAREHOUSE – EVENT SPACE LEVEL 3

SMOKING & AL FRESCO DINING POLICY

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

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

Name	Lorraine Bambrick
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	Lorraine.bambrick@manchester.gov.uk
Telephone Number	0161 2341220

Premise Details

Application Ref No	LPA225748
Name of Premises	Event Space
Address	Level 3, Bonded Warehouse, 18 Lower Byrom Street, Manchester, M3 4AP

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 (LOOH) team have assessed the likely impact of the grant of this application taking into account a number of factors, including the nature of the area in which the premises is located and any potential nuisance or risk to safety that the granting of this licence may pose.

The premises is located on Lower Byrom Street, on which there are multiple residential properties. Lower Byrom Street adjoins Liverpool Road, where there are also multiple residential properties.

With particular regard – but not limited to - the licensing objective of Preventing Public Nuisance, LOOH request that should the licence be granted, the following conditions be added:

- No speakers shall be mounted externally
- A risk assessment shall be carried out on an event-by-event basis to determine the need to employ SIA staff
- From the hours of 7.00am – 10.00am all supply/consumption of alcohol shall be ancillary to supply/consumption of food
- All Challenge 21 staff training shall be documented

<p>Recommendation: Approve with Conditions (Outlined Above)</p>

Representations relating to the following three licence applications

1. Event Space, Level 6, Bonded Warehouse, Lower Byrom Street
Reference: 225742/RP5
2. Pop Up Event Space and Screening Room, Level 1, Bonded Warehouse, 18 Lower Byrom Street
Reference: 225745/HH1
3. Event Space, Level 3, Bonded Warehouse, 18 Lower Byrom Street
Reference: 225748/PW5

All the above applications request the premises be open until 3.30am and serve alcohol until 3.00am

A further application

4. Coffee Shop and Wine Bar, Level 3, Bonded Warehouse, 18 Lower Byrom Street
Reference: 225751/LD2

requests opening until 11.30pm with alcohol sales until 11.00pm. This fourth application is not objected to, but is referenced here to show the context.

Applicant: All Work and Social Bonded Limited

These premises are all located in The Bonded Warehouse located in the former Granada site, now being redeveloped as St John's. Appropriate redevelopment of this magnificent building, listed as Grade 2 in July 2018 is vital to the success of the area. The Granada site was to be developed as a mixed use area, including residential, offices, workshops and The Factory, a new large Arts Centre.

It now appears that there will be fewer residential units in the overall site than previously intended. There are long-standing neighbours in the vicinity, notably in Liverpool Road and across Lower Byrom Street in the St John's Gardens development. This wider neighbourhood has been residential for some time. St John's Gardens was a Manchester City Council initiative in the late 1970s designed to bring residential accommodation back to the city centre. The neo-Georgian apartments on Liverpool Road came later. Both developments are low rise and experience little direct disturbance from the current level of bars and restaurants in the area, which close at generally reasonable hours. These developments do not have the same level of sound proofing which is being installed in modern city centre developments.

Deansgate Councillors have three main concerns, all relating to the issue of public nuisance.

1. The late hours of 3.00/3.30am are not common in the area. They may be common elsewhere, but not here. There is concern that there will be noise disturbance in the early hours of the morning from customers moving between the nearby Spinningfields and the Bonded Warehouse. There is further concern that the dispersal policy has not been shared with local residents. The dispersal policy needs to address the fact that during the early years of opening the construction site for The Factory will limit dispersal options and customers leaving at late hours will disturb residents who need to work the following day. Whatever the dispersal policy, these hours are thought to be unsuitable for an area with such a high level of residential accommodation given the potential for the nuisance of late night and early morning noise.
2. One of the applications is for level 6 of the Bonded Warehouse. At this height noise will carry across the roofs of the adjacent building and find its way to existing nearby residential buildings. This aspect of noise dispersal is often unrecognised. We do not know of any measures being installed in the building to prevent noise escape. In fact there is currently no recent planning permission nor live application for level 6 of this building. While we recognise that planning and licensing applications and decisions are separate matters, we do have concerns that such a late licence has been applied for in a listed building with, as far as we know, no physical intervention to minimise noise escape.
3. Changing the nature of the area. Local residents realise that the former Granada site is changing and that there will be positive and negative aspects for them. However the number of late licences being applied for is worrying. As well as 20 Stories, there is now a late licence for the hotel and diner at the former Granada House as well as a relatively late licence at the new cinema in Astley and Byrom House. In the early stages of development the clear message was that there would be controls on late night disturbance because the new residents of the new St John's buildings would not wish to be disturbed at unreasonable hours. Now that there has been a dramatic fall in the number of residential units proposed, and a considerable decline in the proportion of owner occupation which is likely to occur, existing residents are concerned that current plans will turn the area into one known for hosting late night venues.

We are told that these licences are to provide for work-related events. Councillors and residents need more clarity on how often these might be operated, the capacity of each space, and whether they could link up with firms sponsoring events at The Factory, pushing into later departure times for guests enjoying corporate hospitality.

This representation is submitted by Councillor Joan Davies and supported by Councillors William Jeavons and Marcus Johns.

This page is intentionally left blank

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. The premises shall only be accessible to members/tenants of the co-working space located in the Bonded Warehouse and/or to persons attending pre-booked or pre-scheduled events. 2. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally. 3. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request. 4. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player. 5. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request. 6. Plans indicating the position of CCTV cameras to be submitted to the Police prior to the premises opening. 7. 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. 8. When employed, a register of those door staff employed shall be maintained at the premises and shall include: <ol style="list-style-type: none"> (i) the number of door staff on duty; (ii) the identity of each member of door staff; (iii) the times the door staff are on duty. 9. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area. 10. Staff will be trained in the requirements of the Licensing Act 2003 in relation to the licensing 	N/A	Applicant

<p>objectives, and the laws relating to under age sales and the sale of alcohol to intoxicated persons, and that training shall be documented and repeated at 6 monthly intervals.</p> <p>11. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.</p> <p>12. A first aid box will be available at the premises at all times.</p> <p>13. Regular safety checks shall be carried out by staff.</p> <p>14. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.</p> <p>15. The premises shall maintain an Incident Log and public liability insurance.</p> <p>16. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.</p> <p>17. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.</p> <p>18. The exterior of the building shall be cleared of litter at regular intervals.</p> <p>19. Notices will be positioned at the exits to the premises and the public exits to the building requesting customers to leave in a quiet manner.</p> <p>20. A Dispersal and Smoking Policy will be implemented and adhered to (see attached).</p> <p>21. The emptying of bins into skips, and refuse collections will not take place between 11pm and 8am.</p> <p>22. A "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram.</p>		
---	--	--

<p>23. Staff training will include the Challenge 21 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.</p> <p>24. Notices advising what forms of ID are acceptable must be displayed.</p> <p>25. Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.</p>		
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 1. No speakers shall be mounted externally. 2. A risk assessment shall be carried out on an event-by-event basis to determine the need to employ SIA staff. 3. From the hours of 7.00am – 10.00am all supply/consumption of alcohol shall be ancillary to supply/consumption of food. 4. All Challenge 21 staff training shall be documented. 	No	Licensing and Out of Hours

This page is intentionally left blank

**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 11 March 2019

Subject: Event Space, Level 6, Bonded Warehouse, 18 Lower Byrom Street, Manchester, M3 4AP - (App ref: Premises Licence (new)225742)

Report of: Head of Planning, Building Control and Licensing

Summary

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

Recommendations

That the Panel determine the application.

Wards Affected:

Deansgate

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

A connected city: world class infrastructure and connectivity to drive growth	
---	--

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Name: Ria Page
Position: Technical Licensing Officer
Telephone: 0161 234 4399
E-mail: Premises.licensing@manchester.gov.uk

Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 17/01/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Event Space, Level 6, Bonded Warehouse, 18 Lower Byrom Street, Manchester, M3 4AP in the Deansgate ward of Manchester. A location map and photograph 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 All Work and Social Bonded Limited.
- 2.3 The description of the premises by the applicant is an Event Space.
- 2.4 The proposed designated premises supervisor is Mr Anthony Powell.
- 2.5 **The licensable activities applied for:**

Provision of regulated entertainment (plays, 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 7am to 3am

Provision of late night refreshment:

Mon to Sun 11pm to 3.30am

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

Mon to Sun 7am to 3am

Opening hours:

Mon to Sun 7am to 3.30am

Non-standard timings:

- From the start time on New Year's Eve to the terminal hour for New Year's Day.
- On the day that British Summer Time commences, one additional hour to disapply its effect.

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**.

2.8 **Further documentation accompanying the application**

2.8.1 The applicant has submitted the following documents in support of their application, which are included with the application form at **Appendix 2**:

- Smoking Policy
- Dispersal Policy

3. **Relevant Representations**

3.1 A total of 2 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:

- MCC Licensing and Out of Hours Compliance Team;

Other Persons:

- Deansgate Ward Councillors (Joint rep for all 3)

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	Prevention of public nuisance specifically the premises is located in an area with multiple residential properties.	Grant with conditions
Deansgate Ward Councillors x 3	Prevention of public nuisance specifically night disturbance (noise) from dispersal in a residential area, and noise carrying across the top of the building.	None

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
- Proximity of takeaways and licences to nightlife entertainment areas
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance

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

MS8 Prevent noise nuisance from the premises

MS12 Prevent underage sales of alcohol, including proxy sales

Conclusion

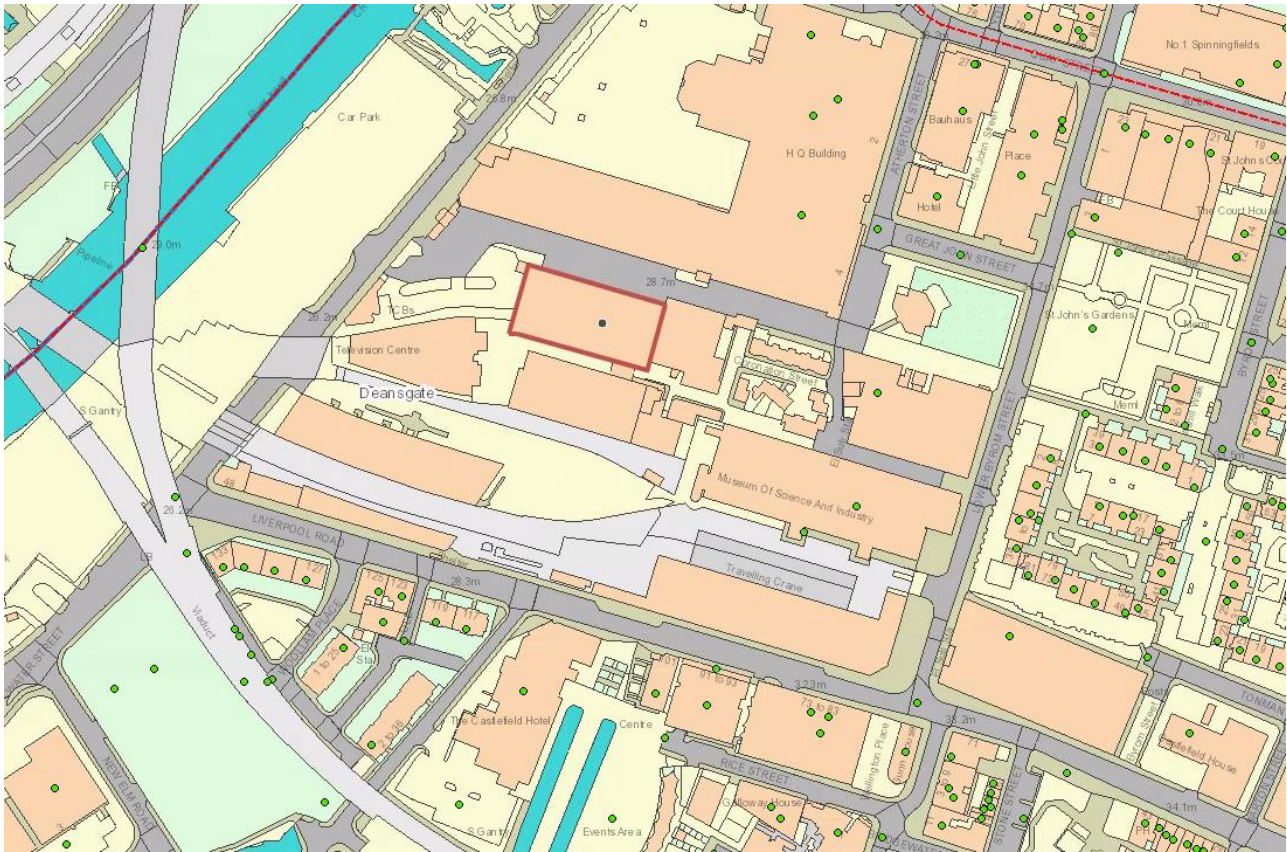
4.6 A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives:

- 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.



PREMISE NAME:	Event Space
PREMISE ADDRESS:	Level 6, Bonded Warehouse, 18 Lower Byrom Street, Manchester, M3 4AP
WARD:	Deansgate
HEARING DATE:	11/03/2019



Event Space
Level 6, Bonded Warehouse, 18 Lower Byrom Street,
Manchester, M3 4AP

Premises Licensing
Manchester City Council

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

**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 All Work and Social Bonded 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 Event Space, Level 6, Bonded Warehouse, 18 Lower Byrom Street			
Post town	Manchester	Postcode	M3 4AP
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£Unknown	

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 | <input type="checkbox"/> please complete section (B) |
| f) a health service body | <input type="checkbox"/> 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)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/>	Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/>	Please tick yes	
Nationality					

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

(B) OTHER APPLICANTS

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

Name All Work and Social Bonded Limited
Address c/o Allied London, No.1 Spinningfields, Level 12, 1 Hardman Square, Manchester, M3 3EB
Registered number (where applicable) 11120439
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited 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
1	5	02 2019

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)

Event space located on Level 6 of the Bonded Warehouse.

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	07:00	03:00			
Tue	07:00	03:00			
Wed	07:00	03:00			
Thur	07:00	03:00			
Fri	07:00	03:00			
Sat	07:00	03:00			
			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
			From the start time on New Year's Eve to the terminal hour for New Year's Day.		
			On the day that British Summer Time commences, one additional hour to disapply its effect.		

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	07:00	03:00	Please give further details here (please read guidance note 4)		
Tue	07:00	03:00			
Wed	07:00	03:00	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur	07:00	03:00			
Fri	07:00	03:00	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 (please read guidance note 6)		
Sat	07:00	03:00	From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Sun	07:00	03:00	On the day that British Summer Time commences, one additional hour to disapply its effect.		

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

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

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon	07:00	03:00						
Tue	07:00	03:00						
Wed	07:00	03:00				State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	07:00	03:00						
Fri	07:00	03:00						
						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 (please read guidance note 6)		
Sat	07:00	03:00	From the start time on New Year's Eve to the terminal hour for New Year's Day.					
Sun	07:00	03:00	On the day that British Summer Time commences, one additional hour to disapply its effect.					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	07:00	03:00			
Tue	07:00	03:00			
Wed	07:00	03:00			
Thur	07:00	03:00			
Fri	07:00	03:00			
Sat	07:00	03:00	From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Sun	07:00	03:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	07:00	03:00			
Tue	07:00	03:00			
Wed	07:00	03:00	State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	07:00	03:00			
Fri	07:00	03:00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	07:00	03:00	From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Sun	07:00	03:00	On the day that British Summer Time commences, one additional hour to disapply its effect.		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	07:00	03:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	07:00	03:00	<u>Please give further details here</u> (please read guidance note 4)		
Wed	07:00	03:00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Thur	07:00	03:00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri	07:00	03:00	From the start time on New Year's Eve to the terminal hour for New Year's Day. On the day that British Summer Time commences, one additional hour to disapply its effect.		
Sat	07:00	03:00			
Sun	07:00	03:00			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23:00	03:30	<u>Please give further details here</u> (please read guidance note 4)		
Tue	23:00	03:30			
Wed	23:00	03:30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23:00	03:30			
Fri	23:00	03:30	<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> (please read guidance note 6) From the start time on New Year's Eve to the terminal hour for New Year's Day. On the day that British Summer Time commences, one additional hour to disapply its effect.		
Sat	23:00	03:30			
Sun	23:00	03:30			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)					
Mon	07:00	03:00						
Tue	07:00	03:00						
Wed	07:00	03:00						
Thur	07:00	03:00				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	07:00	03:00						
Sat	07:00	03:00						
Sun	07:00	03:00						
			From the start time on New Year's Eve to the terminal hour for New Year's Day.					
			On the day that British Summer Time commences, one additional hour to disapply its effect.					

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 Anthony Powell	
Date of birth	████████
Address ██	
Postcode	████████
Personal licence number (if known) 191258	
Issuing licensing authority (if known) Manchester City 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).

n/a

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	07:00	03:30	
Tue	07:00	03:30	
Wed	07:00	03:30	
Thur	07:00	03:30	
Fri	07:00	03:30	
Sat	07:00	03:30	
Sun	07:00	03:30	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

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

On the day that British Summer Time commences, one additional hour to disapply its effect.

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

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

Please see attached operating schedule and policies.

b) The prevention of crime and disorder

Please see attached operating schedule and policies.

c) Public safety

Please see attached operating schedule and policies.

d) The prevention of public nuisance

Please see attached operating schedule and policies.

e) The protection of children from harm

Please see attached operating schedule and policies.

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.**

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

Date	17 th January 2019
Capacity	Solicitors and Authorised Agents

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Kuit Steinart Levy LLP, 3 St Mary's Parsonage			
Post town	Manchester	Postcode	M3 2RD
Telephone number (if any)	[REDACTED]		
[REDACTED]			

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:
 - 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.

OPERATING SCHEDULE
Event Space Level 6

A) The Prevention of Crime and Disorder

1. The premises shall only be accessible to members/tenants of the co-working space located in the Bonded Warehouse and/or to persons attending pre-booked or pre-scheduled events.
2. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.
3. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
4. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
5. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
6. Plans indicating the position of CCTV cameras to be submitted to the Police prior to the premises opening.
7. 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.
8. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - (i) the number of door staff on duty;
 - (ii) the identity of each member of door staff;
 - (iii) the times the door staff are on duty.
9. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.
10. Staff will be trained in the requirements of the Licensing Act 2003 in relation to the licensing objectives, and the laws relating to under age sales and the sale of alcohol to intoxicated persons, and that training shall be documented and repeated at 6 monthly intervals.
11. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.

B) Public Safety

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

C) The Prevention of Public Nuisance

1. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.

2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
3. The exterior of the building shall be cleared of litter at regular intervals.
4. Notices will be positioned at the exits to the premises and the public exits to the building requesting customers to leave in a quiet manner.
5. A Dispersal and Smoking Policy will be implemented and adhered to (see attached).
6. The emptying of bins into skips, and refuse collections will not take place between 11pm and 8am.

D) The Protection of Children From Harm

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

BONDED WAREHOUSE – EVENT SPACE LEVEL 6

SMOKING & AL FRESCO DINING POLICY

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

BONDED WAREHOUSE – EVENT SPACE LEVEL 6

DISPERSAL POLICY

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

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

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

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

Document is Restricted

This page is intentionally left blank



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

Name	Lorraine Bambrick
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	Lorraine.bambrick@manchester.gov.uk
Telephone Number	01612341220

Premise Details

Application Ref No	LPA225742
Name of Premises	Event Space
Address	Level 6, Bonded Warehouse, 18 Lower Byrom Street, Manchester, M3 4AP

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 (LOOH) team have assessed the likely impact of the grant of this application taking into account a number of factors, including the nature of the area in which the premises is located and any potential nuisance or risk to safety that the granting of this licence may pose.

The premises is located on Lower Byrom Street, on which there are multiple residential properties. Lower Byrom Street adjoins Liverpool Road, where there are also multiple residential properties.

With particular regard – but not limited to - the licensing objective of Preventing Public Nuisance, LOOH request that should the licence be granted, the following conditions be added:

- No speakers shall be mounted externally
- A risk assessment shall be carried out on an event-by-event basis to determine the need to employ SIA staff
- From the hours of 7.00am – 10.00am all supply/consumption of alcohol shall be ancillary to supply/consumption of food
- All Challenge 21 staff training shall be documented

Recommendation:

Approve with Conditions (Outlined Above)

Representations relating to the following three licence applications

1. Event Space, Level 6, Bonded Warehouse, Lower Byrom Street
Reference: 225742/RP5
2. Pop Up Event Space and Screening Room, Level 1, Bonded Warehouse, 18 Lower Byrom Street
Reference: 225745/HH1
3. Event Space, Level 3, Bonded Warehouse, 18 Lower Byrom Street
Reference: 225748/PW5

All the above applications request the premises be open until 3.30am and serve alcohol until 3.00am

A further application

4. Coffee Shop and Wine Bar, Level 3, Bonded Warehouse, 18 Lower Byrom Street
Reference: 225751/LD2

requests opening until 11.30pm with alcohol sales until 11.00pm. This fourth application is not objected to, but is referenced here to show the context.

Applicant: All Work and Social Bonded Limited

These premises are all located in The Bonded Warehouse located in the former Granada site, now being redeveloped as St John's. Appropriate redevelopment of this magnificent building, listed as Grade 2 in July 2018 is vital to the success of the area. The Granada site was to be developed as a mixed use area, including residential, offices, workshops and The Factory, a new large Arts Centre.

It now appears that there will be fewer residential units in the overall site than previously intended. There are long-standing neighbours in the vicinity, notably in Liverpool Road and across Lower Byrom Street in the St John's Gardens development. This wider neighbourhood has been residential for some time. St John's Gardens was a Manchester City Council initiative in the late 1970s designed to bring residential accommodation back to the city centre. The neo-Georgian apartments on Liverpool Road came later. Both developments are low rise and experience little direct disturbance from the current level of bars and restaurants in the area, which close at generally reasonable hours. These developments do not have the same level of sound proofing which is being installed in modern city centre developments.

Deansgate Councillors have three main concerns, all relating to the issue of public nuisance.

1. The late hours of 3.00/3.30am are not common in the area. They may be common elsewhere, but not here. There is concern that there will be noise disturbance in the early hours of the morning from customers moving between the nearby Spinningfields and the Bonded Warehouse. There is further concern that the dispersal policy has not been shared with local residents. The dispersal policy needs to address the fact that during the early years of opening the construction site for The Factory will limit dispersal options and customers leaving at late hours will disturb residents who need to work the following day. Whatever the dispersal policy, these hours are thought to be unsuitable for an area with such a high level of residential accommodation given the potential for the nuisance of late night and early morning noise.
2. One of the applications is for level 6 of the Bonded Warehouse. At this height noise will carry across the roofs of the adjacent building and find its way to existing nearby residential buildings. This aspect of noise dispersal is often unrecognised. We do not know of any measures being installed in the building to prevent noise escape. In fact there is currently no recent planning permission nor live application for level 6 of this building. While we recognise that planning and licensing applications and decisions are separate matters, we do have concerns that such a late licence has been applied for in a listed building with, as far as we know, no physical intervention to minimise noise escape.
3. Changing the nature of the area. Local residents realise that the former Granada site is changing and that there will be positive and negative aspects for them. However the number of late licences being applied for is worrying. As well as 20 Stories, there is now a late licence for the hotel and diner at the former Granada House as well as a relatively late licence at the new cinema in Astley and Byrom House. In the early stages of development the clear message was that there would be controls on late night disturbance because the new residents of the new St John's buildings would not wish to be disturbed at unreasonable hours. Now that there has been a dramatic fall in the number of residential units proposed, and a considerable decline in the proportion of owner occupation which is likely to occur, existing residents are concerned that current plans will turn the area into one known for hosting late night venues.

We are told that these licences are to provide for work-related events. Councillors and residents need more clarity on how often these might be operated, the capacity of each space, and whether they could link up with firms sponsoring events at The Factory, pushing into later departure times for guests enjoying corporate hospitality.

This representation is submitted by Councillor Joan Davies and supported by Councillors William Jeavons and Marcus Johns.

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. The premises shall only be accessible to members/tenants of the co-working space located in the Bonded Warehouse and/or to persons attending pre-booked or pre-scheduled events. 2. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally. 3. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request. 4. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player. 5. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request. 6. Plans indicating the position of CCTV cameras to be submitted to the Police prior to the premises opening. 7. 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. 8. When employed, a register of those door staff employed shall be maintained at the premises and shall include: <ol style="list-style-type: none"> 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. 9. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area. 10. Staff will be trained in the requirements of the Licensing Act 2003 in relation to the licensing objectives, and the laws relating to under age sales and the sale of alcohol to intoxicated persons, and that training shall be documented and repeated at 6 monthly intervals. 11. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request. 12. A first aid box will be available at the premises at all times. 13. Regular safety checks shall be carried out by staff. 14. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations. 15. The premises shall maintain an Incident Log and public liability 	N/A	Applicant

Schedule of Licence Conditions

<p>insurance.</p> <p>16.Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.</p> <p>17.No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.</p> <p>18.The exterior of the building shall be cleared of litter at regular intervals.</p> <p>19.Notices will be positioned at the exits to the premises and the public exits to the building requesting customers to leave in a quiet manner.</p> <p>20.A Dispersal and Smoking Policy will be implemented and adhered to (see attached).</p> <p>21.The emptying of bins into skips, and refuse collections will not take place between 11pm and 8am.</p> <p>22.A "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram.</p> <p>23.Staff training will include the Challenge 21 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.</p> <p>24.Notices advising what forms of ID are acceptable must be displayed.</p> <p>25.Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.</p>		
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 1. No speakers shall be mounted externally 2. A risk assessment shall be carried out on an event-by-event basis to determine the need to employ SIA staff 3. From the hours of 7.00am – 10.00am all supply/consumption of alcohol shall be ancillary to supply/consumption of food 4. All Challenge 21 staff training shall be documented 	No	Licensing and Out of Hours