



Licensing Sub Committee Hearing Panel

Date: Tuesday, 19 March 2019

Time: 10.00 am

Venue: Council Antechamber - Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Access to the Council Chamber

Public access to the Council Chamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk.

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

Membership of the Licensing Sub Committee Hearing Panel

Councillors – Stone (Chair), Barrett and Lynch

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 Brazilian Waxing Company, 3-5 Oxford Road, Manchester, M1 6EY. 5 - 48

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

5. Application for a Premises Licence Variation for Manchester Central, Manchester Central Convention Complex, Windmill Street, Manchester, M2 3GX. 49 - 52

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

6. Application for a Premises Licence Variation for Peri Peri Chicken Shaq, 261 Oldham Road, Manchester, M40 7PS 53 - 96

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

7. Application for a New Premises Licence for PremiAir VIP Terminal, Runway Visitor Park, Sunbank Lane, Manchester, WA15 8XQ 97 - 144

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

8. Application for a New Premises Licence for Santaboat, 818a Stockport Road, Manchester, M19 3AW. 145 - 220

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

9. **Application for a New Premises Licence for Dixy Chicken & Pizza, 23 Cheetham Hill Shopping Centre, 40 Bury Old Road, Manchester, M8 5EL.** 221 - 222
- 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
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Further Information

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

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This agenda was issued on **Monday, 11 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 – 19 march 2019

Subject: Brazilian Waxing Company, 3-5 Oxford Road, Manchester, M1 6EY -
(App ref: Premises Licence (new)225692)

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

Name: Fraser Swift
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Name: Louise Dormer
Position: Technical Licensing Officer
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Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 21/01/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Brazilian Waxing Company, 3-5 Oxford Road, Manchester, M1 6EY 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 Mr Mussab Rana.
- 2.3 The description of the premises by the applicant is – bar at the front with seating for up to 30 people, rear of the building is used as a waxing and laser hair removal salon – the licence will be for the whole of the premises.
- 2.4 The proposed designated premises supervisor is Mr Mussab Rana
- 2.5 **The licensable activities applied for:**

Provision of regulated entertainment (films, live music, recorded music, performances of dance):
Fri to Sat 10pm to 3am

Provision of late night refreshment:
Fri to Sat 11pm to 3am

Non standard timing for late night refreshment:
From 11pm on New Year's Eve to 5am New Year's Day

The supply of alcohol for consumption on the premises only:
Sun to Thurs 10am to 10pm, Fri to Sat 10am to 3am

Opening hours:

Sun to Thurs 10am to 10pm, Fri to Sat 10am to 3am

Non standard timings for each of the above:

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 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:

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

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	Based around public nuisance, GMP believe the hours applied for are excessive given the location of the premises below residential dwellings and what is being proposed in this application is clearly a huge departure from its current operating model, which is a waxing company.	Refuse
Licensing and Out of Hours Compliance	Based around public nuisance, LOOH have concerns of how they intend to prevent noise breakout to ensure this licensing objective is upheld. They also believe that the application for licensable activities to take place until 3am is not in keeping with current hours and nature of the business.	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:

- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Ability to clean and maintain the street scene

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

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

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- 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

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.

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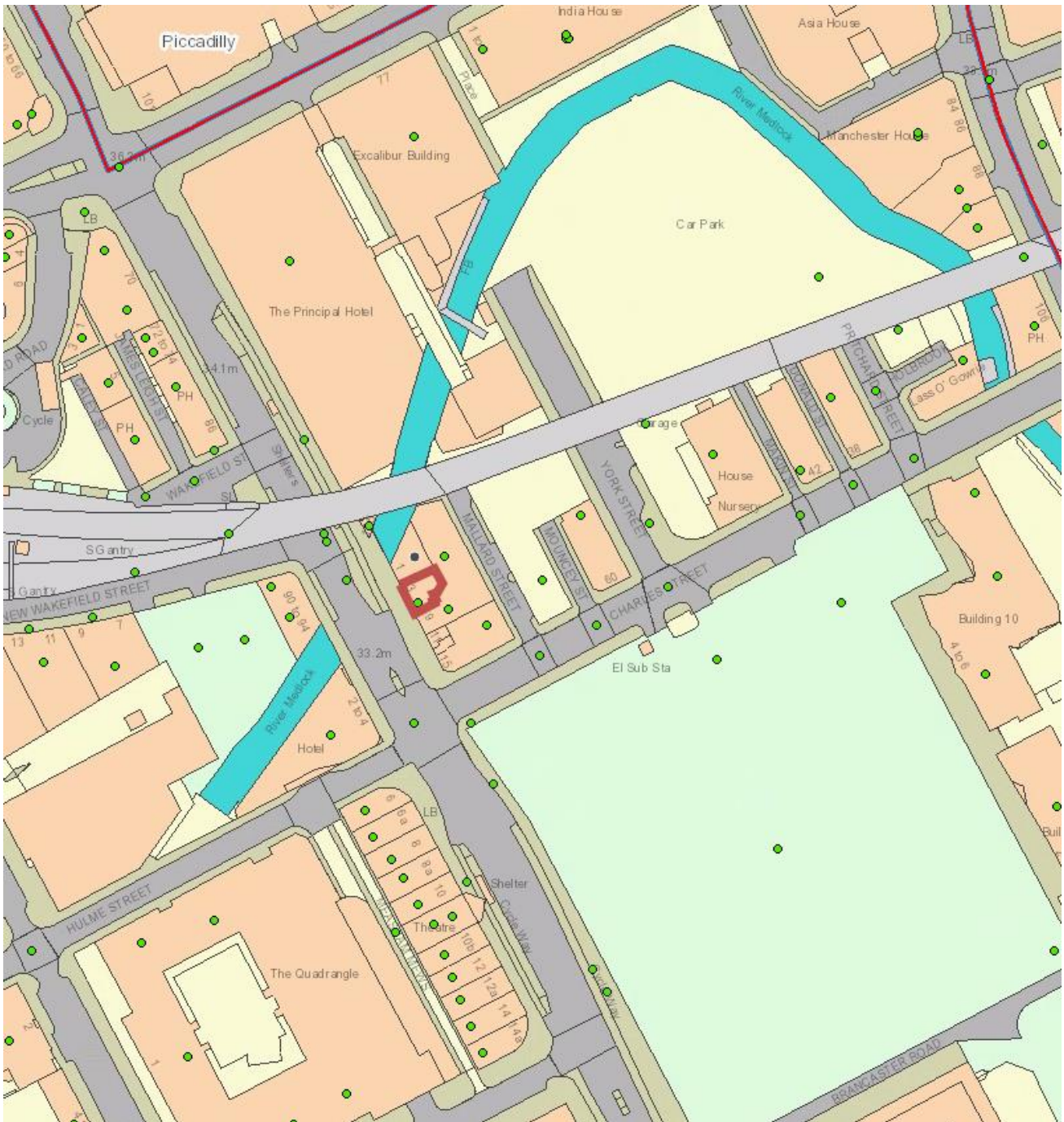


PREMISE NAME: Brazilian Waxing Company

PREMISE ADDRESS: 3-5 Oxford Road, Manchester, M1 6EY

WARD: Deansgate

HEARING DATE: 19/03/2019



Brazilian Waxing Company
3-5 Oxford Road, Manchester, M1 6EY

Premises Licensing
Manchester City Council

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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 Mr Mussab Rana.....
(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 Brazilian Waxing Company 3-5 Oxford Road Manchester			
Post town	Manchester	Postcode	M1 6EY
Telephone number at premises (if any)		07595300699	
Non-domestic rateable value of premises		£ 40,000	

Part 2 - Applicant details

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

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

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

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

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

(B) OTHER APPLICANTS

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

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
A	S	A P

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)

Bar at the front with seating for up to 30 people, rear of the building is used as a waxing and laser hair removal salon - the license will be for the whole of the premises.

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

N/A

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 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 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 N/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			<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)			<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"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) Occasional exhibition of DVD of recorded material		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed					
Thur			<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)		
Fri	22:00	03:00			
Sat	22:00	03:00			
Sun					

C N/A

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 N/A

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			Please give further details here (please read guidance note 4) Ticketed events, occasional live music from DJ, or live Instrumental music		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5) From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Thur					
Fri	22:00	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	22:00	03:00			
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>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			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur				From the start time on New Year's Eve to the terminal hour for New Year's Day.	
Fri	22:00	03:00	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 (please read guidance note 6)		
Sat	22:00	03:00			
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 checked="" 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) From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Thur					
Fri	22:00	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	22:00	03:00			
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	21:00	22:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	21:00	22:00			
Wed	21:00	22:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) From 2300 on New Year's Eve to 0500 New Year's Day		
Thur	21:00	22:00			
Fri	23:00	03:00	<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	03:00			
Sun	21:00	22:00			

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 checked="" 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) From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Mon	10:00	22:00			
Tue	10:00	22:00			
Wed	10:00	22:00			
Thur	10:00	22:00			
Fri	10:00	03:00			
Sat	10:00	03:00			
Sun	10:00	22:00			
			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) The premises will close after last orders are supplied within the authorised hours.		

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	Mussab Rana
Date of birth	██████████
Address	██████████ ██████████
Postcode	██████████
Personal licence number (if known)	142707
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) From the start time on New Year's Eve to the terminal hour for New Year's Day.
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)
Mon	10:00	22:00	
Tue	10:00	22:00	
Wed	10:00	22:00	
Thur	10:00	22:00	
Fri	10:00	03:00	
Sat	10:00	03:00	
Sun	10:00	22:00	

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

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

Please see notes below, b), d), and e)

b) The prevention of crime and disorder

1. This venue will be a ticketed event, Alcohol may only be sold to customers who are attending the premises.
2. Non-intoxicating beverages, including drinking water, shall be available in the premises.
3. No off alcohol sales.
4. A dedicated telephone number for the designated premises supervisor or the duty manager shall be maintained for use by any person who may wish to make a complaint.
5. 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.
6. A documented staff training programme shall be provided to key members of staff at the premises in respect of the:
 - Age verification policy
 - The licensing objectives; and
 - Opening times for the venue
7. 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.
8. The premises shall install and maintain a CCTV system covering the main entry and exit points and enabling frontal identification of every person entering and leaving. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 30 days with date and time stamping, the recordings shall only be made available on the request of authorised officers or Police throughout the 31 day period.

9. The license holder shall ensure that all complaints are recorded in an occurrence book and such book shall be available for police inspection;
10. Only alcohol purchased within the Rooff venue may be consumed on the premises.
11. 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.
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.
12. Security staff will be at the entrance/exit doors
13. Security staff numbers will be increased on site during peak times, When/if the premises trades beyond midnight, SIA registered door supervisors shall be employed at a ratio of 1:100 persons from 22:00 until close.
14. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.
15. A first aid box will be available at the premises at all times.
16. Regular safety checks shall be carried out by staff.
17. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
18. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. The exterior of the building shall be cleared of litter at regular intervals.
21. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
22. A Dispersal and Smoking Policy will be implemented and adhered to (see attached).
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.
25. A Staff will be trained in the requirements of the Licensing Act 2003 with regard to the licensing objectives, the laws relating to under age sales.
26. Training shall be documented and repeated at 6 monthly intervals.
Any person left in charge of the premises must be trained in the use of any
27. such CCTV equipment, and be able to produce CCTV images to an officer from a
28. responsible authority upon request.
Plans indicating the position of CCTV cameras to be submitted to the Police prior to the premises opening.
29. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.

c) Public safety

Please see b), d) and e)

d) The prevention of public nuisance

11. No music shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance at the nearest noise sensitive premises.

12. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

13. Security staff members will be outside during the dispersal procedure.

e) The protection of children from harm

14. The premises shall operate a Challenge 21 policy, 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" halogram.

15. Security staff will be at the entrance/exit doors implementing the entrance policy.

--

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	16-01-2019
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

- 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:

Brazilian Waxing Company
3-5 Oxford Road
Manchester
M1 6EY

Dispersal Procedure

A series of measures will be implemented to assist dispersal throughout this period and the 'drinking-up' time. Volume levels, type of music played and variation of lighting levels will be used to encourage the gradual dispersal of patrons during the last part of trading and during the drinking-up period. DJ announcements may also be used to encourage a gradual dispersal and remind customers of consideration for neighbors. During the last hour of trading customers will be advised that all services will cease and customers and guests to vacate the premises.

Customers will be actively encouraged not to assemble outside the Venue and will be directed to the nearest taxi ranks or other transportation away from the area. To this end a safe waiting area will be provided for customers until arrival of their taxi/transport and hot, non-alcohol beverages offered to aid with the smooth flow of dispersal from Premises. Door supervisors will also patrol around the perimeter of the Premises to aid with customer dispersal until the area is clear of patrons. Whilst patrolling these area door supervisors will wear highly visible jackets and will communicate by means of a night net radio. CCTV is also to be provided on the premises.

In addition, to ensure the subsequent safe dispersal of customers, all publicity material will indicate the local transport services on Oxford Road and the taxi ranks on Whitworth Street.

Marshals will be in possession of a night net radio and will create a highly visible presence. The marshals will be positioned to offer guidance and advice to customers so that the maximum numbers leave either to the local bus services on Oxford road or to Whitworth Street taxi rank.

Smoking Policy

Smoking shall not be permitted anywhere indoor.

Smoking permitted outside the premises, security staff will ensure that no smoking is allowed at or near the entrance and exit.

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 225692
Name of the Premises	Brazilian Waxing Company
Address of the premises including postcode	3-5 Oxford Road, Manchester M1 6EY

Your Representation	
<p>Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the licence on the licensing objectives on and in the vicinity of the premises in question.</p>	
<p>Please accept this as formal notification of the Greater Manchester Police objection to the premises licence in relation to the above premises on the grounds of Prevention of Public Nuisance.</p> <p>The hours applied for on a Friday and Saturday are excessive for premises which are underneath residential dwellings and what is being proposed in this application is clearly a huge departure from its current operating model, which is a waxing company.</p> <p>If this application was granted the premises would become a late night bar with an ancillary beauty concession.</p> <p>Condition 1 offered by the applicant states that the venue will be a ticketed event but makes no reference to how tickets are advertised or purchased.</p> <p>Condition 22 refers to attached Dispersal and Smoking policies but GMP have not been provided with these.</p> <p>We therefore ask that this application is refused.</p>	



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details

Application Ref No	225692
Name of Premises	Brazilian Waxing Company
Address	3 Oxford Road, Manchester, M1 6EY

Representation

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

Licensing out of hours team have assessed the likely impact of granting the new late licence to the beauty salon, Brazilian Waxing Company taking into account a number of factors, including, the nature of the area in which the premises is located, the hours applied for and any potential risks that the granting application could undermine the licensing objective, prevention of public nuisance.

The premises is located at 3-5 Oxford Road which is a mixed use building, containing residential accommodation directly above and adjacent to along Charles Street. There are also 4 residential apartment blocks under construction at junction of Charles Street and Oxford Road.

Operating Schedule

The applicant states in Part 3, M (d) of the operating schedule no music shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance at the nearest noise sensitive premises. However the applicant has not stated in the application how they intend to prevent noise breakout to ensure the public nuisance objective is upheld.

Current Hours

Current trading hours that the premises opens are Monday to Sunday 10am to 22:00

The applicant has requested for licensable activities to take place beyond these hours on Friday and Saturday nights into the early hours of 3:00hours the following morning, for which tickets will be sold and door security employed, which is not in keeping with the current hours and nature of business. 7.29 of Manchester's Statement of licensing policy, states, the authority consider that later hours will typically be more sensitive and higher

risk in causing problems.

Conclusion

The potential impact on the local residents has been considered, the applicant has not fully demonstrated how he will uphold the licensing objectives in relation to the prevention of public nuisance, in preventing **Noise** disturbance from people outside the premises, when smoking, queuing or entering and leaving throughout the night, and music being played till 3am in the morning. Without considerations LOOHT feel that this would undermine the licensing objective and give rise to public nuisance.

We therefore we ask that the application is refused.

Recommendation: Refuse Application

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. This venue will be a ticketed event, Alcohol may only be sold to customers who are attending the premises. 2. Non-intoxicating beverages, including drinking water, shall be available in the premises. 3. No off alcohol sales. 4. A dedicated telephone number for the designated premises supervisor or the duty manager shall be maintained for use by any person who may wish to make a complaint. 5. 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. 6. A documented staff training programme shall be provided to key members of staff at the premises in respect of the: <ol style="list-style-type: none"> a. Age verification policy b. The licensing objectives; and c. Opening times for the venue 7. 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. 8. The premises shall install and maintain a CCTV system covering the main entry and exit points and enabling frontal identification of every person entering and leaving. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 30 days with date and time stamping, the 	N/A	Applicant

Schedule of Licence Conditions

<p>recordings shall only be made available on the request of authorised officers or Police throughout the 31 day period.</p> <p>9. The license holder shall ensure that all complaints are recorded in an occurrence book and such book shall be available for police inspection;</p> <p>10. Only alcohol purchased within the Rooff venue may be consumed on the premises.</p> <p>11. 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.</p> <p>12. When employed, a register of those door staff employed shall be maintained at the premises and shall include:</p> <ul 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. <p>13. Security staff will be at the entrance/exit doors</p> <p>14. Security staff numbers will be increased on site during peak times, When/if the premises trades beyond midnight, SIA registered door supervisors shall be employed at a ratio of 1:100 persons from 22:00 until close.</p> <p>15. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.</p> <p>16. A first aid box will be available at the premises at all times.</p> <p>17. Regular safety checks shall be carried out by staff.</p> <p>18. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.</p> <p>19. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.</p> <p>20. 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>21. The exterior of the building shall be cleared of litter at</p>		
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Schedule of Licence Conditions

<p>regular intervals.</p> <p>22. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.</p> <p>23. A Dispersal and Smoking Policy will be implemented and adhered to (see attached).</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> <p>26. A Staff will be trained in the requirements of the Licensing Act 2003 with regard to the licensing objectives, the laws relating to under age sales.</p> <p>27. Training shall be documented and repeated at 6 monthly intervals. 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.</p> <p>28. Plans indicating the position of CCTV cameras to be submitted to the Police prior to the premises opening.</p> <p>29. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.</p> <p>30. No music shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance at the nearest noise sensitive premises.</p> <p>31. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.</p> <p>32. Security staff members will outside during the dispersal procedure.</p> <p>33. The premises shall operate a Challenge 21 policy, 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>34. Security staff will be at the entrance/exit doors implementing the entrance policy.</p>		
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Schedule of Licence Conditions

Conditions proposed by objectors	Agreed	Proposed by
None	N/A	GMP
None	N/A	Licensing and Out of Hours

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

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Licensing Act 2003 (Hearings) Regulations 2005

Reference: 226079
Name: Manchester Central
Address: Manchester Central Convention Complex, Windmill Street, Manchester, M2 3GX
Ward: Deansgate
Application Type: Premises Licence variation
Name of Applicant: Manchester Central Convention Complex Limited
Date of application: 25/01/2019

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted

Remove condition 2 of annex 2

Remove the permitted occupancy capacity figures contained on page 1 of the existing licence.

Current condition

Permitted Occupancy	Central Hall	10,400 persons
	Exchange Hall	1,400 persons
	Exchange Auditorium	800 persons

The maximum number of persons allowed to be present at any one time shall be 12,600.

Proposed

The capacity for any given event will be risk assessed on a case by case basis.

(Please note that the applicant has stated that the proposed capacity is 19,999)

Amend Condition 9 of Annex 2***Current Condition***

Door staff shall encourage problem customers to leave quietly and without trouble.

Proposed Condition

Door staff (when employed) shall encourage problem customers to leave quietly and without trouble

Remove Condition 12 of Annex 2***Current condition***

The sale of alcohol shall be ancillary to the provision of regulated entertainment or late night refreshment at the premises.

Proposed Condition

The sale of alcohol shall only occur during events which are pre-booked or pre-scheduled to take place at the premises.

Amend Condition 19 of Annex 2***Current Condition***

During large scale events, no bottles containing beverages of any kind, whether open or sealed shall be given to customers on the premises whether at the bar or by bar staff away from the bar.

Proposed Condition

Where deemed necessary in accordance with a risk assessment, during large scale events, no bottles containing beverages of any kind, whether open or sealed shall be given to customers on the premises, whether at the bar or by bar staff away from the bar. And in light of this variation to remove the second sentence of Condition 20 of Annex 2;

Removal of second sentence of condition 20 Annex 2***Current condition***

No customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises is open to the public. Bottles containing wine may be sold for consumption with a table meal by customers who are seated in an area set aside for the consumption of food.

Removal of the following sentence:

Bottles containing wine may be sold for consumption with a table meal by customers

who are seated in an area set aside for the consumption of food.

Amend Condition 56 of Annex 2

Current condition

All bottles and glassware shall be removed from any person before exiting the premises

Proposed condition

All bottles and glassware shall be removed from any person before exiting the premises, save in the case of sealed containers sold for the purpose of consumption off the premises

Amend Condition 3 of Annex 3

Current Condition

When external area of premises licence is scheduled to be used involving the sale and consumption of alcohol then a local alcohol management meeting is to take place with representatives from city safe unit and events office at Bootle Street Police Station to discuss the consumption and sale of alcohol. This is to be at least 28 days before event takes place.

Proposed Condition

When the external area of the premises is schedule to be used for events involving the sale and consumption of alcohol, a local management meeting is to take place with representatives from GMP and the Licensing and Out of Hours Team, should these authorities deem such meeting necessary. Matters to be discussed at such meeting may include the use of an alternative to glassware if deemed necessary by these authorities. If such meeting takes place, it will be at least 28 days before the event takes place

Remove Condition 8 of Annex 3.

The use of an alternative to glassware when external areas of the premises are used for sale of alcohol is to be discussed at the pre-event meeting between Manchester Central management and City Safe and Events Office as referred to in Condition 3 above

Opening hours:

Current hours: Mon to Sun 8 am to 2am

Proposed hours: Mon to Sun 7am to 2am

Steps to promote licensing objectives as given by the applicant

As per conditions attached to existing licence and additional/reworded conditions proposed

Representations received	
Licensing & Out of Hours Compliance (LOOH)	<p>LOOH objected to the application on the grounds that due to the removal of the prescribed capacity numbers, there will be a potential increase of over 7000 extra patrons (up to 19,999) within the venue, specifically the central hall area.</p> <p>LOOH have concerns that this will add to or increase the noise complaints currently received due to the likelihood of nuisance from large scale dispersals at 2:00 hours.</p> <p>The premises is within close proximity to residential properties and the application therefore undermines the licensing objective the prevention of public nuisance.</p>

Agreements between parties
<p>Licensing & Out of Hours Compliance:</p> <p>Whenever a single event is proposed to take place at the premises which:</p> <ol style="list-style-type: none"> a) Has a capacity of over 11,000 and b) Is to continue beyond 9pm and c) Has as its primary focus the playing of live and/or recorded music <p>The Licensing and Out of Hours Team at Manchester City Council shall be notified at least 28 days in advance of the event, and an Event Management Plan shall be provided. Such event(s) shall not proceed without the written approval of the Licensing and Out of Hours Team.</p>

Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Original application form
- Representations made against application and respective agreements.

**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 19 March 2019

Subject: Peri Peri Chicken Shaq, 261 Oldham Road, Manchester, M40 7PS -
(App ref: Premises Licence variation 225875)

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:

Miles Platting and Newton Heath

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

Equal Opportunities Policy
Risk Management
Legal Considerations

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: Bryan Johnson
Position: Technical Licensing Officer
Telephone: 0161 234 1248
E-mail: b.johnson@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 Peri Peri Chicken Shaq, 261 Oldham Road, Manchester, M40 7PS in the Miles Platting and Newton Heath 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 Mr Syed Zia Ul Hassan 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 timing of closing hours as per the application:

Proposed hours and licensable activities:

Provision of late night refreshment:

Current hours: Sun to Thu 11.00pm to 12.00pm midnight

Proposed hours: Sun to Thu 11.00pm to 4.00am

Current hours: Fri to Sat 11.00pm to 1.00am

Proposed hours: Fri to Sat 11.00pm to 4.00am

Opening hours:

Current hours: Sun to Thu 5.00pm to 12.00pm midnight

Proposed hours: Sun to Thu 5.00pm to 4.00am

Current hours: Fri to Sat 5.00pm to 1.00am

Proposed hours: Fri to Sat 5.00pm to 4.00am

- 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 3 relevant representations were received in respect of the application (**Appendix 5**). The personal details of all members of the public have been redacted. Original copies of these representation will be available to the Committee at the hearing.

Responsible Authorities:

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

Other Persons:

- Residents (x1).

- 4.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	GMP are concerned that the applicant has offered no enforceable conditions as part of the application and believe that this indicates a lack of understanding on the part of the	Refuse

	applicant regarding the upholding of the Four Licensing Objectives and how this is likely to impact on the operation of the premises generally.	
Licensing and Out of Hours Compliance	LOOH compliance are concerned that the applied for later operating times would increase the likelihood of public nuisance incidents occurring within the immediate vicinity of the premises (noise nuisance from patrons attending the premises via vehicles or on foot) which would adversely impact upon nearby local residents. LOOH Compliance are also further concerned that the applicant has not offered any additional conditions via their application to ensure that all of the Four Licensing Objectives will be properly upheld.	Refuse
Residents (x1)	The landlord of the premises has expressed concern that the applied for later operating times would negatively impact upon those persons who currently rent the flat situated directly above the commercial section of the property. He has confirmed that it is a condition of the commercial lease that the occupants of the ground floor do not disturb those persons occupying the upstairs flat.	Not stated

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:

	Closing time	Approach
Non-alcohol led venues (excluding hot food takeaways)	Up to Midnight	Strongly encouraged provided that they do not harm the licensing objectives.

	Closing time	Approach
Non-alcohol led venues (excluding hot food takeaways)	Beyond midnight	Discouraged, unless strict compliance with set criteria can be shown. Positive proposals for the promotion of the licensing objectives from departing customers must also be demonstrated in the operating schedule.
Alcohol-led venues (on-licence)	Up to 11.30pm	Judged according to set criteria. Positive proposals for the promotion of the licensing objectives, including from departing customers, must also be demonstrated in the operating schedule. A stricter approach is likely to be taken where customers are not seated at tables and/or where a substantial food offer is not available at all times the premises are open
Alcohol-led venues (on-licence)	Beyond 11.30pm	Strong presumption against. A genuinely exceptional case would need to be shown. The reasons for the exception should be shown in the operating schedule, and must demonstrate that there will be no harm to the licensing objectives, including from departing customers.

	Closing time	Approach
Hot food Takeaway premises	All	Strong presumption against. A genuinely exceptional case would need to be shown. The reasons for the exception should be shown in the operating schedule, and must demonstrate that there will be no harm to the licensing objectives, including from departing customers.
Alcohol led venues (off licence)	All	Strong presumption against. A genuinely exceptional case would need to be shown. The reasons for the exception should be shown in the operating schedule, and must demonstrate that there will be no harm to the licensing objectives.

The policy also sets out particular measures it expects operators to pay special attention to in order to ensure their operation will not add to the problems within this area. Operators are not required to do so, but where the authority's discretion is engaged, any applications that fail to address all appropriate measures may be refused or have conditions applied to comply with the policy measures.

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
- 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
- MS11 Ensure the wellbeing of children on the premises

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.

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.

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Peri Peri Chicken Shaq
261 Oldham Road, Manchester, M40 7PS

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MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	051569
Granted	24/01/2006
Latest version	Licence Transfer 223169 granted 25/12/2018

Part 1 - Premises details

Name and address of premises
Peri Peri Chicken Shaq 261 Oldham Road, Manchester, M40 7PS
Telephone number

Licensable activities authorised by the licence
1. The provision of late night refreshment.

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	2300
Finish	2400	2400	2400	2400	0100	0100	2400
Licensed to take place indoors only.							
Seasonal variations and Non standard Timings:							
None							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1700	1700	1700	1700	1700	1700	1700
Finish	2400	2400	2400	2400	0100	0100	2400
Seasonal variations and Non standard Timings:							
None							

Part 2

Details of premises licence holder	
Name:	Syed Zia ul Hassan
Address:	██
Registered number:	

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. An effective and adequate CCTV system shall be operated and maintained at the premises.
2. The maximum occupancy limit of the premises shall not be exceeded.
3. Effective and adequate interior and exterior lighting shall be installed and operated at the premises.
4. A sufficient number of staff shall be employed at the premises to ensure that queuing is reduced to a minimum.
5. Sufficient numbers and types of fire-fighting equipment shall be installed at the premises and maintained in accordance with the manufacturer's instructions.
6. Persons engaging in disorderly conduct shall not be permitted to enter or remain upon the premises.
7. No persons under the age of 16 shall be permitted to enter the premises after 2300.

Annex 3 – Conditions attached after hearing by the licensing authority

1. Staff shall ensure that customers do not congregate outside the premises so as to cause a noise disturbance to nearby residents.
2. The management shall ensure that the area around the premises is cleaned at regular intervals and after the close of business.

Annex 4 – Plans

See attached



**MANCHESTER
CITY COUNCIL**

Send completed application form to:
Premises Licensing
Manchester City Council
Level 2 Town Hall Extension
Albert Square
PO Box 532, M60 2LA

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.

Name SYED ZIA UL HASSAN
(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

051569

Part 1 – Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description

261 OLDHAM ROAD

Post town

MANCHESTER

Postcode

M407PS

Telephone number at premises (if any)

0161 4731234

Non-domestic rateable value of premises

£

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	[REDACTED]	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 1)

I INTEND TO EXTEND THE TIMING OF CLOSING HOURS AS FOLLOWING.

WEEKDAYS : 5PM TO 4AM.

WEEKENDS : 5PM TO 4AM.

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

Part 4 Operating Schedule

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

Provision of regulated entertainment**Please 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)

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

C

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

D

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

E

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

F

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

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
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 4)		
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 5)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
			No INDOOR SITTING, JUST COLLECTION OF FOOD FROM COUNTER	Both	<input type="checkbox"/>
Mon	2300	0400	<u>Please give further details here</u> (please read guidance note 3) CUSTOMERS MAY COME TO COLLECT FOOD FROM THE COUNTER AND MAKE PAYMENTS. FOOD NOT SERVED INSIDE.		
Tue	2300	0400			
Wed	2300	0400	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) N/A		
Thur	2300	0400			
Fri	2300	0400	<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 5) CUSTOMERS MAY COME TO COLLECT FOOD FROM THE COUNTER AND MAKE PAYMENTS. FOOD NOT SERVED INSIDE, DELIVERY DRIVER MAY PICK FOOD FROM COUNTER AND SET FOR DELIVERY.		
Sat	2300	0400			
Sun	2300	0400			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				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 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	1700	0400	
Tue	1700	0400	N / A
Wed	1700	0400	
Thur	1700	0400	
Fri	1700	0400	
Sat	1700	0400	
Sun	1700	0400	
			<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 5)

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.

N / A

Please tick as appropriate

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

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

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

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

b) The prevention of crime and disorder

24 HOURS CCTV CAMERAS RECORDING.

c) Public safety

CCTV CAMERA
FIRE EXTINGUISHER
FIRST AID KIT.

d) The prevention of public nuisance

REPORTING REGISTER

e) The protection of children from harm

CCTV CAMERA
FIRST AID KIT
REPORTING REGISTER.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- 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 10)

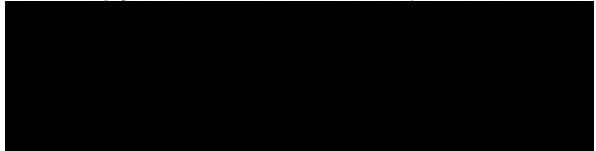
Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	<i>Sydneyman</i>
Date	21-01-19
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 12). 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 13)



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

Notes for Guidance

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

1. 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. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. 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.
7. 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'.
8. 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.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

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 225875
Name of the Premises	Peri Peri Chicken Shaq
Address of the premises including postcode	261 Oldham Road, Manchester M40 7PS

Your Representation

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

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

The operating schedule which accompanies the application offers nothing in terms of enforceable conditions which show how the 4 Licensing Objectives will be upheld.

It gives the impression that the applicant has a limited understanding of the Licensing Objectives, which raises concerns about how the premises will be operated.

We therefore ask that this application is refused.



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

Name	Lauren Connell
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	lauren.connell@manchester.gov.uk
Telephone Number	0161 227 3147

Premise Details	
Application Ref No	REF 225875
Name of Premises	Peri Peri Chicken Shaq
Address	261 Oldham Road, Manchester, M40 7PS

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.
<p>Licensing and Out of Hours Compliance Team have assessed the likely impact of the granting of this applications taking into account a number of factors, including the nature of the area in which the premises is located and the proximity to the residential accommodation, the hours applied for, and any potential risk that the granting of this application could lead to issues of public nuisance.</p> <p>The variation application is for a takeaway:</p> <p>The applicant has requested late night refreshment: Monday to Sunday 23:00-4:00</p> <p>Existing Sunday to Thursday 23:00-24:00 Friday and Saturday 23:00-01:00</p> <p>And Proposed Opening hours: Monday to Sunday 17:00 – 4:00</p> <p>The premises is positioned on the ground floor, midway along a short run of mixed use commercial units on Oldham Road.</p> <p>Section M of the licence application requires the applicant to describe any further steps they will take in order to promote the 4 licensing objectives. With regards to the proposed application, the applicant has failed to provide any information with specific reference to the prevention of public nuisance for the later proposed terminal hours.</p> <p>Section 7.1 of Manchester’s Statement of Licensing Policy states “Licensed premises are expected to be an asset to their local area through promotion of the licensing objectives.”</p>

The applicant has not offered any further information other than their existing licence conditions that can be measured to ensure that the licensing objectives are upheld, with particular reference to the later terminal hours applied for.

If the current application is granted, Licensing and out of hours are of the opinion that the increased traffic to and from the premises either by car, taxi or on foot would generate noise nuisance not normally experienced by nearby local residents and in particular the later week nights and Sunday night times applied for.

Manchester's Statement of Licensing Policy states in section 7.5 that "applicants are expected to address any local factors relevant to their premises." This has not been satisfied in the application and gives rise to concerns over the applicant's ability to effectively manage the premises fully at the later terminal hours applied for.

The Licensing and Out of Hours Team in our capacity as the Environmental Health Responsible Authority feel the grant of a licence based on the application submitted would undermine the licensing objectives and request it to be refused.

Recommendation:

Refuse Application

[REDACTED]
Date: Mon, 4 Feb 2019 at 14:37
Subject: licence to open extra hours 261 Oldham Road
To: <premises.licensing@manchester.gov.uk>

Dear Sir/ Madam,

[REDACTED]
Today I went there and saw a small notice stuck on the shutter of 261 oldham road, (chicken shaq takeaway) it says they have applied for opening till late. I haven't received any letter or anything to inform that. I have an objection for the takeaway to stay open till late because I have a flat up stairs where people will have problem if they open till very late. I understand they want to open for business but till 12 midnight is ok later than that will have problem people sleeping in the flat because customers will make noise their machines etc making noise. Their lease said they should not disturb the people in the flat. I would request you to consider the people living upstairs when you grant opening time please.

thanks

[REDACTED]

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

Document is Restricted

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
1. None	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
2. None	N/A	GMP
3. None	N/A	Licensing and Out of Hours
4. None	N/A	Resident1

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 19 March 2019

Subject: PremiAir VIP Terminal, Aviation Viewing Park, Wilmslow Old Road, Manchester, WA15 8XQ - (App ref: Premises Licence (new)226030)

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:

Woodhouse Park

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

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: Ashia Maqsood
Position: Technical Licensing Officer
Telephone: 0161 234 4139
E-mail: a.maqsood@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 24/01/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of PremiAir VIP Terminal, Aviation Viewing Park, Wilmslow Old Road, Manchester, WA15 8XQ in the Woodhouse Park 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 Manchester Airport Plc.
- 2.3 The description of the premises as given by the applicant is:
New Terminal at Manchester Airport located adjacent to the Runway Visitor Park.
- 2.4 The proposed designated premises supervisor is Robert Anthony Pattison

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

Provision of late night refreshment: Indoors only

Mon to Sun 11pm to 5am

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

Mon to Sun 24 Hours a day

Opening hours

Mon to Sun 24 Hours a 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 as stated in **Appendix 2**

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 not submitted any further documents in support of their application.

3. **Relevant Representations**

3.1 A total of One relevant representations were received in respect of the application (**Appendix 3**) from a responsible authority.

3.2 Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;

3.3 Summary of the representations:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance (LOOH)	LOOH have objected to the application, on the grounds that the steps proposed in the operating schedule (appendix 2) are not robust enough to promote the four licensing objectives. LOOH therefore recommend that additional conditions should be attached to the Premises Licence to make them clear and enforceable.	Grant with conditions

- 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:

- Consistency with relevant Council strategies
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Ability to clean and maintain the street scene
- 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
- 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

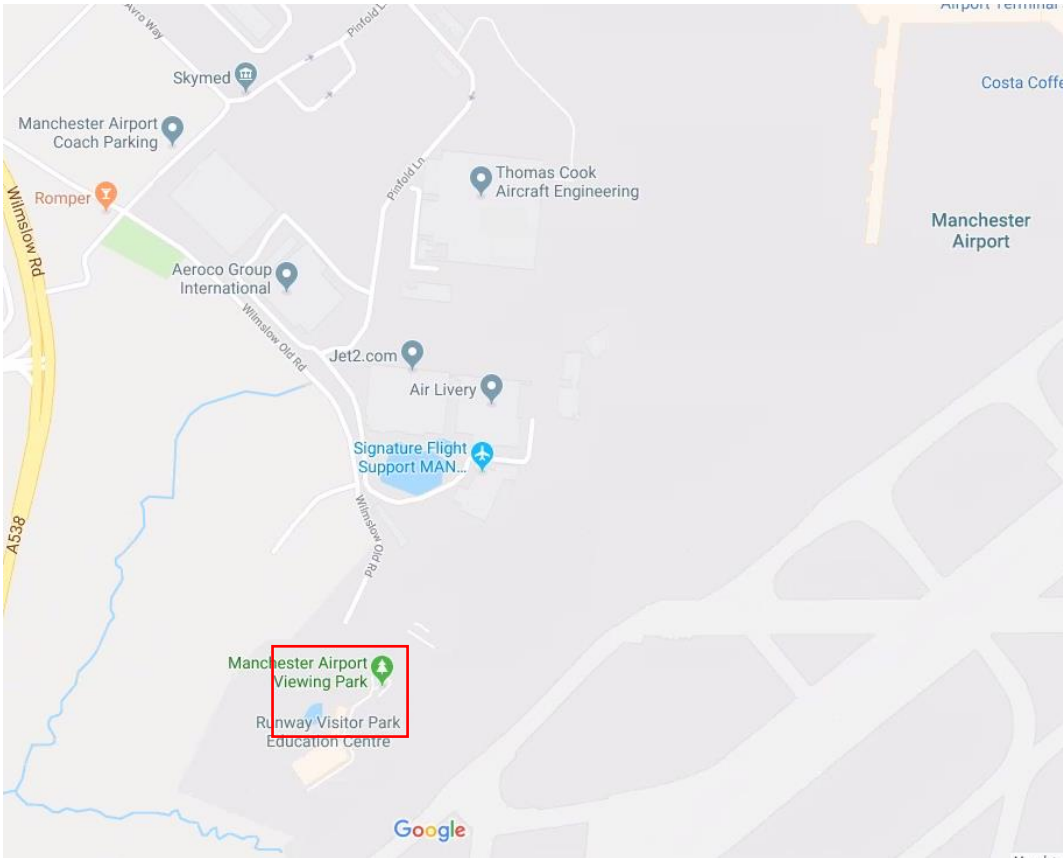
This section sets out particular expectations regarding large scale public events, given the specific associated risks.

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.

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PREMISE NAME:	PremiAir VIP Terminal
PREMISE ADDRESS:	Aviation Viewing Park, Wilmslow Old Road, Manchester, WA15 8XQ
WARD:	Woodhouse Park

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Manchester Airport plc

(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			
PremiAir VIP Terminal Runway Visitor Park Manchester Airport Sunbank Lane			
Post town	Manchester	Postcode	WA15 8XQ
Telephone number at premises (if any)		[REDACTED]	
Non-domestic rateable value of premises		£Not yet determined	

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 Manchester Airport plc
Address Olympic House Fifth Floor Manchester Airport Manchester M90 1QX
Registered number (where applicable) 01960988
Description of applicant (for example, partnership, company, unincorporated association etc.) plc
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	2	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)

This is an application to licence a new terminal at Manchester Airport called PremiAir, located adjacent to the Runway Visitor Park. A premises licence is required as the lounge is landside, and not airside. However, the terminal will only be open to those customers who have pre-booked access to it.

Lodged with the application are some visuals to depict how it will look when built, together with a site plan showing its location within the wider airport site.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

Provision of late night refreshment (if ticking yes, fill in box I)**Supply of alcohol** (if ticking yes, fill in box J)**In all cases complete boxes K, L and M**

A

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

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur								
Fri						<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					
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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23.00	05.00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	23.00	05.00			
Wed	23.00	05.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23.00	05.00			
Fri	23.00	05.00	<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	05.00			
Sun	23.00	05.00			

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 checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	00.01	00.00			
Tue	00.01	00.00			
Wed	00.01	00.00			
Thur	00.01	00.00			
Fri	00.01	00.00			
Sat	00.01	00.00			
Sun	00.01	00.00			
			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 Robert Anthony Pattison	
Date of birth [REDACTED]	
[REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) PA051005	
Issuing licensing authority (if known) Trafford 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	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)
Mon	00.01	00.00	
Tue	00.01	00.00	
Wed	00.01	00.00	
Thur	00.01	00.00	
Fri	00.01	00.00	
Sat	00.01	00.00	
Sun	00.01	00.00	

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)

Please refer to the attached Operating Schedule

b) The prevention of crime and disorder

Please refer to the attached Operating Schedule

c) Public safety

Please refer to the attached Operating Schedule

d) The prevention of public nuisance

Please refer to the attached Operating Schedule

e) The protection of children from harm

Please refer to the attached Operating Schedule

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	<i>Kuit Steinart Levy LLP</i>
Date	24 January 2019
Capacity	Solicitors

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)			
Kuits 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.
 - 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

OPERATING SCHEDULE

A) The Prevention of Crime and Disorder

1. The premises shall only be open to customers who have pre-booked lounge access prior to arrival at the terminal.
2. There shall be a personal licence holder at the premises at all times whilst licensable activities are taking place.
3. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.
4. 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.
5. 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.
6. 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.
7. Any alcohol sold for consumption off the premises shall be in sealed containers only.

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. The exterior of the building shall be cleared of litter at regular intervals.

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 and notices must be displayed indicating that the Challenge 21 policy is in force.
3. Any customers under the age of 18 and using the premises shall be accompanied by an adult.



Consent of individual to being specified as Designated Premises Supervisor

I ROBERT ANTHONY PATTISON
[full name of prospective Designated Premises Supervisor]

Of
[redacted]
[home address of prospective Designated Premises Supervisor]

My date of birth is: [redacted]

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

Contact telephone number: [redacted]

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

.....**A new premises licence**.....

[type of application]

relating to a Premises Licence**not yet granted**.....

[number of existing Premises Licence]

for

PremiAir VIP Terminal, Manchester Airport

.....
[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

...**Manchester Airport plc**.....

[name of applicant]

concerning the supply of alcohol at

PremiAir VIP Terminal, Manchester Airport

.....
[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

PA 05 1005

Personal Licence Issuing Authority

TRAFFORD COUNCIL

Signed:



Name (please print)

ROBERT PATTONSON

Date:

21 | 01 | 2019

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**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

Name	Rachel Broadbent
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	rachel.broadbent@manchester.gov.uk
Telephone Number	0161 227 3187

Premise Details	
Application Ref No	620579
Name of Premises	PremiAir VIP Terminal
Address	Aviation Viewing Park, Wilmslow Old Road, Manchester, WA15 8XQ

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.
<p>The Licensing and Out of Hours (LOOH) team have considered the grant of this application taking into account the area in which the premises is situated, the activities and extensions being applied for, Manchester City Councils' Statement of Licensing Policy 2016 – 2021 (SLP) and Manchester's standards contained therein and the four licensing objectives.</p> <p>LOOH therefore recommend the following conditions should be attached to the Premises Licence (this includes rewritten offered conditions to make them clear and enforceable):</p> <p><i>Prevention of Crime and Disorder</i></p> <p><u>Training</u></p> <ul style="list-style-type: none"> • Staff shall be provided with comprehensive training in preventing drunkenness; drug policy; managing and resolving conflict; emergency procedures; complying with the licence conditions; and obligations and offences under the Licensing Act that apply to the sale of alcohol • Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council <p><u>Authorisations</u></p> <ul style="list-style-type: none"> • The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice.

- The management/designated premises supervisor shall ensure that tables are cleared of all bottles and glassware on a regular basis to avoid an accumulation of glassware

Public Safety

Training

- Staff training shall include procedures to deal effectively with emergency incidents, including:
 - Reporting an emergency to the relevant emergency service
 - Safe evacuation of customers
 - Dealing with terrorist threats or incidents
- Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council
- An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following:
 - all crimes reported;
 - any complaints received;
 - any ejections;
 - any incidents of disorder;
 - seizure of drugs or offensive weapons;
 - any faults in the CCTV system;
 - any visit by a responsible authority or emergency service.

Prevention of Public Nuisance

- Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
- A dispersal and smoking policy will be implemented and adhered to at all times
- Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons so not cause a public nuisance.
- Documented smoking policy, as agreed with Manchester City Council Environmental Health section, shall be implemented at the premises and lodged with the licensing unit.
- An antisocial behaviour policy will be implemented and adhered to at all times
- Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.
- Patrons permitted to temporarily leave and then re-enter the premises e.g. to smoke, shall not be permitted to take drinks or glass containers with them outside.
- Hen and stag parties shall be strictly prohibited at all times.

- There shall be no groups of 7 or more, unless prior authorisation has been sought from the manager/designated premises supervisor at least 24 hours prior to arrival.

Protection of Children from Harm

Reworded conditions -

- *Staff training will include the Challenge 21 policy and its operation and notices must be displayed indicating that the Challenge 21 policy is in force.*
- **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.**
- **Notices advising what forms of ID are acceptable must be displayed.**
- **Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.**
- A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.

LOOH believe these conditions are proportionate and appropriate to uphold the four licensing objectives.

Recommendation: Approve with Additional Conditions (Outlined Above) and Reworded Conditions

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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 open to customers who have pre-booked lounge access prior to arrival at the terminal. 2. There shall be a personal licence holder at the premises at all times whilst licensable activities are taking place. 3. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally. 4. 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. 5. 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. 6. 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. 7. Any alcohol sold for consumption off the premises shall be in sealed containers only. 8. A first aid box will be available at the premises at all times. 9. Regular safety checks shall be carried out by staff. 10. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations. 11. The premises shall maintain an Incident Log and public liability insurance. 12. The exterior of the building shall be cleared of litter at regular intervals. 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. 14. Staff training will include the Challenge 21 Policy and its operation and notices must be displayed indicating that the Challenge 21 policy is in force. 15. Any customers under the age of 18 and using the premises shall be accompanied by an adult. 	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Staff shall be provided with comprehensive training in preventing drunkenness; drug policy; managing and resolving conflict; emergency procedures; complying with the licence conditions; and obligations and 	No	LOOH

Schedule of Licence Conditions

<p>offences under the Licensing Act that apply to the sale of alcohol</p> <ol style="list-style-type: none"> 2. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council 3. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice. 4. The management/designated premises supervisor shall ensure that tables are cleared of all bottles and glassware on a regular basis to avoid an accumulation of glassware 5. Staff training shall include procedures to deal effectively with emergency incidents, including: <ol style="list-style-type: none"> a. Reporting an emergency to the relevant emergency service b. Safe evacuation of customers c. Dealing with terrorist threats or incidents 6. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council 7. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following: <ol style="list-style-type: none"> a. all crimes reported; b. any complaints received; c. any ejections; d. any incidents of disorder; e. seizure of drugs or offensive weapons; f. any faults in the CCTV system; g. any visit by a responsible authority or emergency service. 8. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner. 9. A dispersal and smoking policy will be implemented and adhered to at all times 10. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons so not cause a public nuisance. 11. Documented smoking policy, as agreed with Manchester City Council 		
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Schedule of Licence Conditions

<p>Environmental Health section, shall be implemented at the premises and lodged with the licensing unit.</p> <p>12. An antisocial behaviour policy will be implemented and adhered to at all times</p> <p>13. Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.</p> <p>14. Patrons permitted to temporarily leave and then re-enter the premises e.g. to smoke, shall not be permitted to take drinks or glass containers with them outside.</p> <p>15. Hen and stag parties shall be strictly prohibited at all times.</p> <p>16. There shall be no groups of 7 or more, unless prior authorisation has been sought from the manager/designated premises supervisor at least 24 hours prior to arrival.</p> <p>Amendment to Condition 14 as proposed by the applicant:</p> <p><i>Staff training will include the Challenge 21 policy and its operation and notices must be displayed indicating that the Challenge 21 policy is in force</i></p> <p>Reworded to :</p> <p>17. 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>18. Notices advising what forms of ID are acceptable must be displayed.</p> <p>19. Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.</p> <p>20. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.</p>		
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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**Manchester City Council
Report for Resolution**

Report To: Licensing Subcommittee Hearing Panel – 19 March 2019

Subject: Santaboat, 818a Stockport Road, Manchester, M19 3AW
(App ref: 225871 - New Premises Licence)

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:

Longsight

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Name: Jean Clarke
Position: Technical Licensing Officer
Telephone: 234 4375
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 21/01/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Santaboat, 818a Stockport Road, Manchester, M19 3AW in the Longsight 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 Santaboat Ltd.
- 2.3 The description of the premises by the applicant is a restaurant on the ground floor with an ancillary bar, providing authentic African cuisine with a European twist. The premises will also provide a takeaway option
- 2.4 The proposed designated premises supervisor is Agyenim Boateng
- 2.5 The licensable activities applied for:

Provision of regulated entertainment - recorded music,
 Mon to Thurs - noon to 11pm
 Fri to Sun - noon to 3am
 For the Thursday prior to Good Friday,
 Boxing Day, Year's Eve until 3am the following

Provision of late night refreshment: Both on and off the premises
 Fri to Sun - 11pm to 3am
 For the Thursday prior to Good Friday,
 Boxing Day, Year's Eve until 3am the following morning

The supply of alcohol for consumption both on and off the premises:
 Mon to Thurs - noon to 11pm
 Fri to Sun noon to 3am

For the Thursday prior to Good Friday,
Boxing Day, Year's Eve until 3am the following morning

Opening hours:

Mon to Thurs - noon to 11.30pm

Fri to Sun - noon to 3.30am

For the Thursday prior to Good Friday,
Boxing Day, Year's Eve until 3am the following morning

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**

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

2.9 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 5 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
- MCC Trading Standards
- Greater Manchester Police

Other Persons:

- Longsight Ward Councillor
- Residents (x1).

- 3.2 A total of 5 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.
- 3.3 Summary of the representations: Any concerns previous held by GMP, Trading Standards, Councillor Richards have been allayed following agreement of reduced hours by Licensing and Out of Hour.

Party	Grounds of representation	Recommends
GMP	<p>GMP have concerns regarding public nuisance due to late terminal hour. This will cause potential noise disturbance from arrival and dispersal. Also noise from customers smoking outside will effect nearby residents.</p> <p>Concerns regarding condition, notes part of the premises will predominantly operate a restaurant, and part of the premises will operate as something else.</p> <p>Contradictory condition notes alcohol will only be sold to customers seating and partaking in a meal. Although alcohol sales on and off premises.</p> <p>Amended Hours agreed with applicant</p> <p>Friday, Saturday and Sunday all licensable activities to cease at 01:00h, with 30 minutes drinking up time to close at 01:30h.</p>	<p>Grant with reduced hours for sale of alcohol with OOH and TS conditions</p> <p>See further reduced hours with OOH and Applicant agreed</p>
Licensing and Out of Hours Compliance	<p>Concerns regarding public nuisance due to location of premises close to residential area.</p> <p>LOOT believe noise from people congregating outside using smoking area and traffic noise from customer’s arrival and dispersal.</p> <p>No conditions have been detailed for patrons smoking outside the premises.</p> <p>Sunday to Thursdays: The supply of alcohol up to 22:30 hours with a closing time of 23:00 hours.</p> <p>Friday to Saturday: The supply of alcohol up to 00:30 hours with a closing time of</p>	<p>Grant with reduced hours for sale of alcohol with OOH and TS conditions</p> <p>Agreed</p>

	<p>01:00 hours.</p> <p>Licensing and Out of Hours also propose further conditions:</p> <p>1. Display taxi telephone numbers and make arrangements with those local taxi firm(s) to require taxis to ring back the pub and announce the taxi is waiting outside.</p> <p>2. Only 5 smokers shall be allowed to congregate outside the premises at any time.</p>	
<p>Trading Standards</p>	<p>Trading standards propose conditions to protect Children from Harm with conditions attached how to seek ID from anyone who appears to be underage”, a Challenge 25 policy to be adopted with proportionate signage displayed”, and “a refusals to serve log”.</p> <p>Amended Hours agreed with applicant</p> <p>Friday, Saturday and Sunday all licensable activities to cease at 01:00h, with 30 minutes drinking up time to close at 01:30h.</p> <p>The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram.</p> <p>The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises and in all areas where alcohol is located that the Challenge 25 scheme is in operation.</p> <p>The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises and in all areas where alcohol is located that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and</p>	<p>Grant with reduced hours for sale of alcohol with OOH and TS conditions</p> <p>See further reduced hours with OOH and Applicant agreed</p>

	<p>for a person under the age of 18 to buy or attempt to buy alcohol.</p> <p>In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice.</p> <p>Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.</p>	
Longsight Ward Councillors	<p>Councillor has concerns regarding increase in public nuisance and public safety in a residential area at anti-social times.</p> <p>Amended Hours agreed with applicant</p> <p>Friday, Saturday and Sunday all licensable activities to cease at 01:00h, with 30 minutes drinking up time to close at 01:30h.</p>	<p>Grant with reduced hours for sale of alcohol with OOH and TS conditions</p> <p>See further reduced hours with OOH and Applicant agreed</p> <p>(in Bold)</p>
Residents (x1)	<p>Resident has concerns the late night opening of the premises near residential area will cause potential noise nuisance from increased traffic and people leaving the premises.</p>	Refuse

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

3.5 Agreements on conditions have been reached with Trading Standards.

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.3 New Information

4.4 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.

4.5 Hearsay **Evidence**

4.6 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.

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

4.8 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.

4.9 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.

4.10 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.

4.11 Manchester **Statement of Licensing Policy**

4.12 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.

4.13 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.

- 4.14 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.
- 4.15 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
- 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
- The availability of transport to and from the premises
- Ability to clean and maintain the street scene

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

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

- MS1 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS4 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.



PREMISE NAME:	Santaboat
PREMISE ADDRESS:	818a Stockport Road, Manchester, M19 3AW
WARD:	Longsight
HEARING DATE:	19/03/2019



Santaboat
818a Stockport Road, Manchester, M19 3AW

Premises Licensing
Manchester City Council

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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 Santaboat Ltd

(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 Santaboat 818a Stockport Road			
Post town	Manchester	Postcode	M19 3AW

Telephone number at premises (if any)	n/a
Non-domestic rateable value of premises	£10,000 (Band B)

Part 2 - Applicant details

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

Please tick as

- | | | |
|--|-------------------------------------|-----------------------------|
| 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 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		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 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 Santaboat Ltd
Address [REDACTED]
Registered number (where applicable) 11553847
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
A	S	A P

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)
 Santaboat proposes to be a restaurant on the ground floor with an ancillary bar, providing authentic African cuisine with a European twist. The premises will also provide a takeaway option.

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

n/a

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 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 MA

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play 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					
			State any seasonal variations for performing plays (please read guidance note 5)		
Tue					
			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 (please read guidance note 6)		
Wed					
Thur					
Fri					
Sat					
Sun					

B

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

C

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

D

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)			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			State any seasonal variations for the performance of live music (please read guidance note 5)		
Wed					
Thur			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)		
Fri					
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 checked="" type="checkbox"/>	
				Outdoors	<input type="checkbox"/>	
Day	Start	Finish		Both	<input type="checkbox"/>	
Mon		03:00	<u>Please give further details here</u> (please read guidance note 4)			
	12:00	23:00				
Tue	12:00	23:00				
Wed	12:00	23:00		<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	12:00	23:00				
Fri	12:00		<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) For the Thursday prior to Good Friday, Boxing Day and New Year's Eve until 03:00h the following morning.			
Sat		03:00				
	12:00					
Sun		03:00				
	12:00					

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					
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					
Fri			<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)		
Sat					
Sun			<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)		

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 checked="" type="checkbox"/>
Mon		03:00	<u>Please give further details here</u> (please read guidance note 4) Hot food or drink after 23:00h.		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri	23:00		<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) For the Thursday prior to Good Friday, Boxing Day and New Year's Eve until 03:00h the following morning.		
Sat		03:00			
	23:00				
Sun		03:00			
	23:00				

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 checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon		03:00			
	12:00	23:00			
Tue	12:00	23:00			
Wed	12:00	23:00			
Thur	12:00	23:00			
Fri	12:00				
			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) For the Thursday prior to Good Friday, Boxing Day and New Year's Eve until 03:00h the following morning.		
Sat		03:00			
	12:00				
Sun		03:00			
	12:00				

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 Agyenim Boateng	
Date of birth	██████████
Address ████████████████████ ██████████	
Postcode	██████████
Personal licence number (if known) 223506	
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		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) For the Thursday prior to Good Friday, Boxing Day and New Year's Eve until 03:00h the following morning.
	12:00	23:30	
Tue	12:00	23:30	
Wed	12:00	23:30	
Thur	12:00	23:30	
Fri	12:00		
Sat		03:30	
	12:00		
Sun		03:30	
	12:00		

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)

Please see attached.

b) The prevention of crime and disorder

Please see attached.

c) Public safety

Please see attached.

d) The prevention of public nuisance

Please see attached.

e) The protection of children from harm

Please see attached.

Checklist:**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. (paid online)
- 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. (submitted online – LA to distribute to RA's)
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. (see comments and covering letter of application)
- 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
--------------------	--

Signature	[REDACTED]
Date	17/01/2019
Capacity	DIRECTOR

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

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

Santaboat, 818a Stockport Road, Manchester M19 3AW
Proposed Licensing Conditions

General – all four licensing objectives

Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.

Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time.

The premises will operate predominantly as a restaurant set out to tables and chairs with food available throughout the trading day, subject to a permitted wind-down period before the terminal hour of service.

Waiter/waitress service shall always be available.

Alcohol shall only be sold to customers seated and partaking in a table meal.

A 30-minute drinking up time on top of the last permitted sale of alcohol to allow customers to use the toilet facilities and disperse from the premises.

Prevention of crime and disorder

CCTV will be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system will record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days.

Recordings shall be made available immediately on request to an Authorised Officer or a Police Officer (subject to GDPR) throughout the 31-day period following any incident.

A member of staff with knowledge of the CCTV system will be present on site whilst the premises are open to the public to aid any enquiry from a Police Officer or Authorised Officer requiring recent CCTV recordings with the minimum of delay when requested.

Off sales are to be taken off the area marked on the licensed plan in sealed containers only.

Public Safety

Appropriate fire safety measures will be installed and maintained as shown on the drawings accompanying this application.

Staff will be trained in First Aid.

Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.

Public areas will be maintained free from obstruction and trip hazards.

All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.

Prevention of Public Nuisance

Refuse such as bottles will be placed into receptacles outside the premise at times that will minimise the disturbance to nearby properties.

No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.

Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.

The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.

No deliveries for supplies for the restaurant (food or alcohol) will take place between 22:00 and 08:00 hours.

No collection of refuse and recyclable food waste shall take place between 22:00 and 06:00 hours.

Customer notices to be displayed at all exits asking patrons to please leave the premises quietly and to respect the needs of the local residents.

Protection of children from harm

All staff shall be aware of the law regarding the refusal of service to any person who is drunk or is underage and shall be aware of how to seek ID from anyone who appears to be underage.

A 'challenge 25' policy will be adopted with proportionate and appropriate signage displayed.

A "refusal to serve log" will be maintained and made available for inspection to a Police Officer or Authorised Officer, this log shall include the Date, Time, Name and Signature of the staff member who refused the sale. This log will also be signed by the DPS of the premises on a monthly basis.

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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 225871
Name of the Premises	Santaboat
Address of the premises including postcode	818a Stockport Road, Manchester M19 3AW

Your Representation

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

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

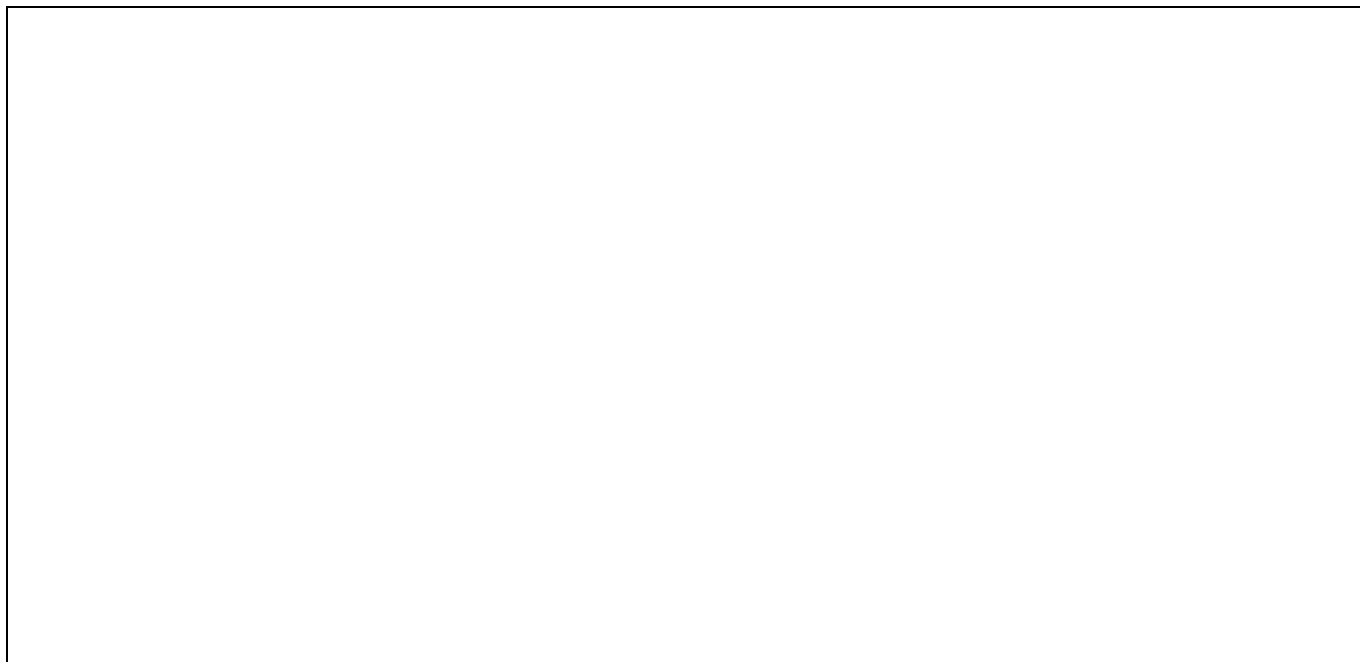
The application seeks to allow the premises to operate as a licensed restaurant until 0300hrs Friday to Sunday each week with a closing time of 0330hrs. Alcohol sales are for consumption both on and off the premises but one of the conditions offered by the applicant is that alcohol will only be sold to customers who are seated and partaking in a table meal so this contradicts itself.

The location where the premises are situated is on the corner of a busy main road and a quiet residential street and the hours requested are not what GMP would regard as acceptable in this location.

It is believed that many of the customers will drive to the premises and will therefore park on Park Grove which is where there are several residential properties and the noise from these vehicles leaving the location will create a noise disturbance. It is also a concern that smokers who are using the premises will create an unacceptable level of noise when they are standing outside the premises in the sensitive early hours.

Another condition offered by the applicant states in part that the premises will predominantly operate as a restaurant, which suggests that a small part of the business may operate as something else and again this causes concern as to what else the premises may be used for.

Therefore GMP have concerns regarding the hours of operation in this residential area and also by some of the conditions offered by the applicant and as such we ask that the application is refused.





**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details	
Application Ref No	225871
Name of Premises	Santaboat
Address	818a Stockport Road, Manchester, M19 3AW

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 (LOOHT) have assessed the likely impact of the late night premises opening at 818a Stockport Road, Longsight, Manchester, M19 3AW taking into account a number of factors. This includes the location of nearby residential properties, the hours applied for and any potential risk that the granting of this licence, could lead to issues of Public Nuisance.</p> <p>LOOHT have given particular consideration to Manchester City Council's Statement of Licensing Policy, specifically s.7.25 in that the licensing authority will ensure that due consideration will be given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises; as well as s.7.28 in that the licensing authority will give consideration to the appropriateness of hours applied for, having regard for the location of premises and their likely effect of the promotion of the four Licensing Objectives.</p> <p>The premises is situated on Stockport Road and is part of a busy area on the boundary of the Longsight and Levenshulme wards, it is also on a main arterial route in and out of the City Centre.</p> <p>Above the premises are flats/offices which are currently vacant and are advertised to let. There are a number of residential properties in close distance both to the left and right and on opposite side of the road. To the left hand side facing the premises on Park Grove, there are a number of semi-detached residential properties. To the right hand side facing the premises on Pennington Street, there are a large number of residential terraced properties. On the opposite side of Stockport Road there are also residential flats above the commercial premises; also directly behind these flats there are a number of residential bungalows on Jean Close and, multiple residential premises on Mathews Lane.</p> <p>The application is for a new premises licence for the following licensable activities:</p> <p>Recorded music: Monday to Thursday 12:00 to 23:00 Friday to Monday 12:00 to 03:00</p>

Supply of alcohol both on and off the premises:

Monday to Thursday 12:00 to 23:00

Friday to Monday 12:00 to 03:00.

Opening hours to the public:

Monday to Thursday 12:00 to 23:30

Friday to Monday 12:00 to 03:00

Late Night Refreshment

Friday to Monday 23:00 to 03:00

There are currently no licensed premises which sell alcohol within 400m either way of the premises.

LOOHT believe there is a potential for public nuisance in the form of noise generated from customers leaving the premises during the later hours to 3:00 hours and noise from people congregating and using the external smoking area, within such close proximity to residential properties will lead to potential noise disturbances, which would significantly undermine the public nuisance objective.

If the application is granted we are of the opinion that the increased traffic to the premises either by car or foot would generate noise nuisance not normally experienced by nearby local residents.

There is also insufficient detail in relation to how noise nuisance will be monitored in regards to patrons smoking outside the premises.

With this information and that of our night time visits, Licensing & Out of Hours Compliance are of the opinion that the applicant even with the information provided in this application would not be able to uphold the licensing objectives in relation to public nuisance.

We therefore recommend that the application is refused.

Recommendations: Refuse Application

PLEASE NOTE: ALL REPRESENTATIONS AND SUPPORTING EVIDENCE MUST BE SUBMITTED TO MANCHESTER CITY COUNCIL WITHIN 28 DAYS, STARTING THE DAY AFTER THE PREMISES IN QUESTION MAKES AN APPLICATION (TO FIND OUT THE CLOSING DATE CALL THE LICENSING UNIT ON 0161 234 4512)

ABOUT YOU		PLEASE NOTE: LICENSING OFFICERS, LICENSING COMMITTEE MEMBERS AND THE APPLICANT CAN VIEW THE INFORMATION PROVIDED ON THIS FORM
Your first name (required)	Your last name (required)	
Janis	Green	
Your address including postcode (required)		
Trading Standards Service 1 Hammerstone Road Manchester M18 8EQ		
Contact email address	Contact phone no	
Jan.green@manchester.gov.uk	0161 234 1529	
Your signature (I hereby declare the information I have provided on and with this form is correct to the best of my knowledge and belief)		
Jan Green		

ABOUT THE PREMISES
Application Ref No. (if known):
225871
Name of the Premises about which you would like to make a representation:
Santaboat Ltd
Address of the Premises (including postcode if known):
818a Stockport Road MANchester M19 3AW

YOUR REPRESENTATION
<p>Trading Standards has seen the licence application for the company Santaboat Ltd. It is noted that the application refers to "refusal of service to any person who is drunk or underage" " how to seek ID from anyone who appears to be underage", a Challenge 25 policy to be adopted with proportionate signage displayed", and "a refusals to serve log".</p> <p>In order to clarify the issues regarding protection of children from harm, Trading Standards would like the following model conditions included in the licence if it is to be granted –</p> <ol style="list-style-type: none"> 1. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram. 2. The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises and in all areas where alcohol is located that the Challenge 25 scheme is in operation.

3. The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises and in all areas where alcohol is located that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.
4. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice.
5. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.

Supporting Evidence: In addition to your own written / oral testimony to the Licensing Sub-Committee, you may wish to provide evidence to support your representation. You will need to show how this evidence relates to the premises in question. Examples of supporting evidence include oral testimony, written testimony, noise records, video or photographic material, crime and disorder data, other statistical data, reports etc.)

Dear Sir

I am writing to object to this application, particularly the proposal to open until 03:00h plus thirty minutes drinking up time three days a week and on other specified dates. I feel these hours are more suited to the city centre or an area where other venues have similar opening hours.

[REDACTED] This is, on the whole, a quiet residential area particularly after the rush hour has ended and the traffic flow is greatly decreased.

From previous experience of a restaurant on these premises, my personal concerns are noise (particularly from loud music) and parking. The front of the restaurant is mostly glass so unless the music is kept to a level which cannot be heard outside, I can hear it in my home. I am also concerned that [REDACTED] which runs alongside my house will become a car park with all the inconveniences of blocked access to my home as well as the noise of people leaving at all hours up to 03:30+h.

I hope that when considering this application my concerns are taken on board particularly that music should not be audible outside the premises at any time.

Yours sincerely

[REDACTED]



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

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment. 2. Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time. 3. The premises will operate predominantly as a restaurant set out to tables and chairs with food available throughout the trading day, subject to a permitted wind-down period before the terminal hour of service. 4. Waiter/waitress service shall always be available. 5. Alcohol shall only be sold to customers seated and partaking in a table meal. 6. A 30-minute drinking up time on top of the last permitted sale of alcohol to allow customers to use the toilet facilities and disperse from the premises. 7. CCTV will be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system will record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. 8. Recordings shall be made available immediately on request to an Authorised Officer or a Police Officer (subject to GDPR) throughout the 31-day period following any incident. 9. A member of staff with knowledge of the CCTV system will be present on site whilst the premises are open to the public to aid any enquiry from a Police Officer or Authorised Officer requiring recent CCTV recordings with the minimum of delay when requested. 10. Off sales are to be taken off the area marked on the licensed plan in sealed containers only. 11. Appropriate fire safety measures will be installed and maintained as shown on the drawings accompanying this application. 12. Staff will be trained in First Aid. 13. Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff. 14. Public areas will be maintained free from obstruction and trip hazards. 15. All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed. 16. Refuse such as bottles will be placed into receptacles 	N/A	Applicant

Schedule of Licence Conditions

<p>outside the premise at times that will minimize the disturbance to nearby properties.</p> <p>17.No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.</p> <p>18. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.</p> <p>19. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.</p> <p>20. No deliveries for supplies for the restaurant (food or alcohol) will take place between 22:00 and 08:00 hours.</p> <p>21. No collection of refuse and recyclable food waste shall take place between 22:00 and 06:00 hours.</p> <p>22. Customer notices to be displayed at all exits asking patrons to please leave the premises quietly and to respect the needs of the local residents.</p> <p>23. All staff shall be aware of the law regarding the refusal of service to any person who is drunk or is underage and shall be aware of how to seek ID from anyone who appears to be underage.</p> <p>24. A 'challenge 25' policy will be adopted with proportionate and appropriate signage displayed. A "refusal to serve log" will be maintained and made available for inspection to a Police Officer or Authorised Officer, this log shall include the Date, Time, Name and Signature of the staff member who refused the sale. This log will also be signed by the DPS of the premises on a monthly basis.</p>		
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Display taxi telephone numbers and make arrangements with those local taxi firm(s) to require taxis to ring back the pub and announce the taxi is waiting outside. 2. Only 5 smokers shall be allowed to congregate outside the premises at any time. 	Yes	LOOH
<ol style="list-style-type: none"> 1. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprised passport, photo card driving 	Yes	Trading Standards

Schedule of Licence Conditions

<p>licence, an HM Forces warrant card, or a card bearing the PASS hologram.</p> <ol style="list-style-type: none"> 2. The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises and in all areas where alcohol is located that the Challenge 25 scheme is in operation. 3. The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises and in all areas where alcohol is located that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol. 4. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice. 5. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council. 		
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Licensing Act 2003 (Hearings) Regulations 2005

Reference: 225703
Name: Dixy Chicken & Pizza
Address: 23 Cheetham Hill Shopping Centre, 40 Bury Old Road, Manchester, M8 5EL
Ward: Crumpsall
Application Type: Premises Licence (new)
Name of Applicant: KFH Foods Ltd
Date of application: 07/02/2019

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted

Provision of late night refreshment:
Mon to Sun 11pm to 3am

Opening hours:
Mon to Sun 11am to 3am, Sun noon to 3am

Representations received

Licensing & Out of Hours
Compliance

Conditions are proposed to ensure that any likely public nuisance is diminished where practicable

Agreements between parties

Licensing & Out of Hours Compliance:

- Customers may only be seated inside the premise for eat-in until 23:00, following which only takeaway and delivery service will be provided.
- A notice will be displayed inside the premise requesting customers to leave quietly.
- The front door must remain closed except for the purposes of access and egress.
- Suitable waste receptacles shall be provided and maintained for the disposal of litter inside the premise.
- The external area immediately in front of the premise shall be kept free from litter.
- The Premise Licence holder shall ensure that all staff are trained appropriately and training shall cover the promotion of the licensing objectives.
- Deliveries and collections shall be between 07:30 to 20:00 Monday to Saturday and not before 10:00 on a Saturday. No deliveries or collections shall take place on a Sunday or Bank Holiday Monday.

Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Original application form
- Representations made against application and respective agreements