



Licensing Sub Committee Hearing Panel

Date: Thursday, 9 May 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 – Ludford (Chair), Grimshaw and Jeavons

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 Mash Tun MCR, Unit 6, 55 King Street, Manchester, M2 4LQ.

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

5. Application for a Temporary Event Notice for Pakistani Community Association, 481 Stockport Road, Manchester, M12 4NN.

The report of the Head of Planning, Building Control and Licensing will follow.

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 **Tuesday, 30 April 2019** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 9 May 2019

Subject: Mash Tun MCR, Unit 6, 55 King Street, Manchester, M2 4LQ - App ref: Premises Licence variation228034

Report of: Head of Planning, Building Control and Licensing

Summary

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

Recommendations

That the Committee determine the application.

Wards Affected:

Deansgate

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

A connected city: world class infrastructure and connectivity to drive growth	
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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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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 18/03/2019, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of Mash Tun MCR, Unit 6, 55 King Street, Manchester, M2 4LQ in the Deansgate ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. **Current Licence**

- 2.1 The premises licence holder is LHH Investments Ltd 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 application is to extend the closing and licensing hours to facilitate live music events at the restaurant and bar

Proposed hours and licensable activities:

Provision of regulated entertainment (live music, recorded music)

Current hours: Mon to Sun 10am to 1am indoors only

Proposed hours: Mon to Sun 10am to 4am both on and off the premises

Non-standard times: New Year from the permitted hours on New Year's Eve to the start of hours on New Year's Day. Bank Holidays; one additional hour on the evening preceding the Bank Holiday

Performance of dance: indoors

Proposed hours Mon to Sun 10am to 4am

Non-standard times: New Year from the permitted hours on New Year's Eve to the start of hours on New Year's Day. Bank Holidays; one additional hour on the evening preceding the Bank Holiday

Provision of late night refreshment: on and off the premises

Current hours: Mon to Sun 11pm to 1.30am

Proposed hours: Mon to Sun 11pm to 4.30am

Supply of alcohol for consumption both on and off the premises:

Current hours: Mon to Sun 8am to 1am

Proposed hours: Mon to Sun 8am to 4am

Non-standard times: New Year from the permitted hours on New Year's Eve to the start of hours on New Year's Day. Bank Holidays; one additional hour on the evening preceding the Bank Holiday

Opening hours:

Current hours: Mon to Sun 7am to 1.30am

Proposed hours: Mon to Sun 7am to 4.30am

Non-standard times: New Year from the permitted hours on New Year's Eve to the start of hours on New Year's Day. Bank Holidays; one additional hour on the evening preceding the Bank Holiday

- 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 on the application form at **Appendix 3**.

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**.

3.5 Further documentation accompanying the application

3.5.1 The applicant has submitted the following documents in support of their application, which are included with the application form at **Appendix 4**:

- Smoking Policy
- Dispersal Policy

4. Relevant Representations

4.1 A total of 2 relevant representations were received in respect of the application (**Appendix 5**). The personal details of all members of the public have been redacted.

Responsible Authorities:

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

4.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	GMP objected on the grounds of the Prevention of Crime and Disorder and the Prevention of Public Nuisance and Public Safety. GMP believe that the operating schedule needs to be more robust to uphold the licensing objectives.	Grant with Conditions
Licensing and Out of Hours Compliance(LOOH)	LOOH have objected to the application on the grounds of the prevention of public nuisance. LOOH state that the variation will increase the likelihood of public nuisance due to the increase in people outside the premises, when smoking, queuing, and entering/exiting the premises. LOOH also state that the premises is located near to hotels and there is the potential for noise disturbance to hotel guests and	Refuse unless reduced hours and greater noise measures can be proposed.

	<p>residents. LOOH also believe that the operating schedule proposed is inadequate to uphold the licensing objectives.</p>	
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4.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 6**.

4.4 Agreements on conditions have been reached with Greater Manchester Police.

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.

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

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.

6. Conclusion

- 6.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 6.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 6.3 The Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate;

- b) To reject the whole or part of the application
- 6.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 6.5 However, conditions should not be imposed on a licence which are unrelated to the variation sought.
- 6.6 All licensing determinations should be considered on the individual merits of the application.
- 6.7 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 6.8 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 6.9 The Panel is asked to determine the application.



PREMISE NAME:	Mash Tun MCR
PREMISE ADDRESS:	Unit 6, 55 King Street, Manchester, M2 4LQ
WARD:	Deansgate
HEARING DATE:	09/05/2019



MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	186144
Granted	10/05/2016
Latest version	Change of Detail 13/03/2019

Part 1 - Premises details

Name and address of premises
Mash Tun MCR Unit 6, 55 King Street, Manchester, M2 4LQ
Telephone number
0161 696 9700

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

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0800	0800	0800	0800	0800	0800	0800
Finish	0100	0100	0100	0100	0100	0100	0100
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non standard Timings:							
<u>New Year:</u> From the end of the permitted hours on New Year's Eve to the start of the permitted hours for New Year's Day.							
<u>Bank Holidays:</u> One additional hour on the evening proceeding the Bank Holiday.							

Live music; Recorded music; Anything similar to live music, recorded music or the performance of dance							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	0100	0100	0100	0100	0100	0100	0100
Licensed to take place indoors only.							
Seasonal variations and Non standard Timings:							
<u>New Year:</u> From the end of the permitted hours on New Year's Eve to the start of the permitted hours for New Year's Day.							
<u>Bank Holidays:</u> One additional hour on the evening proceeding the Bank Holiday.							

Provision of late night refreshment**Standard timings**

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0130	0130	0130	0130	0130	0130	0130

Licensed to take place both indoors and outdoors.

Seasonal variations and Non standard Timings:

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

Bank Holidays: One additional hour on the evening proceeding the Bank Holiday.

On the day British Summer Time commences: One additional hour following on the day British Summer Time begins to dis-apply its affect.

Hours premises are open to the public**Standard timings**

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0700	0700	0700	0700	0700	0700	0700
Finish	0130	0130	0130	0130	0130	0130	0130

Seasonal variations and Non standard Timings:

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

Bank Holidays: One additional hour on the evening proceeding the Bank Holiday.

On the day British Summer Time commences: One additional hour following on the day British Summer Time begins to dis-apply its affect.

Part 2**Details of premises licence holder**

Name: LHH Investments Limited
Address: Crowshaw House Little Scotland, Blackrod, Bolton, BL6 5JJ
Registered number: 06338495

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol

Name: Paul Andrew Roden
Personal Licence number: PA1368
Issuing Authority: Bolton Council

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.

Supply of alcohol

2. No supply of alcohol may be made under this premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence or,

- (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
- (a) a holographic mark, or
- (b) an ultraviolet feature.
5. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
- (2) For the purposes of the condition set out in (1) above–
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) “permitted price” is the price found by applying the formula–

$$P = D + (D \times V)$$

where –

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
8. The responsible person must ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

For the purposes of conditions 6, 7 and 8 above, a responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

Annex 2 – Conditions consistent with the operating schedule

1. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.
2. Recorded CCTV images shall be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
3. CCTV shall 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 shall be in a format so it can be played back on a standard PC or DVD player.
4. Any person left in charge of the premises shall be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
5. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment to be carried out by the DPS, on Fridays and Saturdays from 20:00 until close for the first 3 months of trading. Thereafter, and all other days, shall be risk assessed. When employed, door staff shall wear high visibility armbands.
6. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - a. the number of door staff on duty;
 - b. the identity of each member of door staff;
 - c. the times the door staff are on duty.
7. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area as shown on the plan attached to the licence.
8. Staff shall be trained in the laws relating to under age sales, and that training shall be documented and repeated at 6 monthly intervals.
9. A refusals book shall be maintained at the premises, and made available to an officer of a responsible authority upon request.
10. A first aid box shall be available at the premises at all times.
11. Regular safety checks shall be carried out by staff.
12. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
13. The premises shall maintain an Incident Log and public liability insurance.
14. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
15. The exterior of the building shall be cleared of litter at regular intervals.
16. Notices shall be positioned at the exits to the building requesting customers to leave in a quiet manner.
17. The emptying of bins into skips, and refuse collections shall not take place between 23:00 and 08:00.
18. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
19. 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.
20. Staff training shall 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.
21. After 21:00 children shall not be permitted to enter the premises unless accompanied by an adult.
22. A Dispersal and Smoking Policy shall be implemented and adhered to (see attached).

Annex 3 – Conditions attached after hearing by the licensing authority

1. The sale of alcohol shall commence at 0800 and shall be ancillary to food until 10am each day.

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.

I/We LHH Investments Ltd

(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 186144

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

Mash Tun MCR
Unit 6, 55 King Street,

Post town	Manchester	Postcode	M2 4LQ
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Telephone number at premises (if any)	01616969700
---------------------------------------	-------------

Non-domestic rateable value of premises	£80,500
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Part 2 – Applicant details

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

An extension in the Closing and Licensing hours to facilitate live music events at the restaurant and bar

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:

Not applicable

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) X
- f) recorded music (if ticking yes, fill in box F) X
- g) performances of dance (if ticking yes, fill in box G) X
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

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

Sale by retail of alcohol (if ticking yes, fill in box J) X

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</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					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films 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					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
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 5)		
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			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
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 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</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
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 5)		
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	x
Day	Start	Finish	<p><u>Please give further details here</u> (please read guidance note 3) Amplified performance by musicians within the restaurant and bar and low volume level speakers externally</p> <p><u>Extension from current 1.00 until 4.00</u></p> <p><u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) Non</p> <p><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) New Year from the permitted hours on New Years Eve to the start of hours on New Years Day. Bank Holidays; one additional hour on the evening preceding the Bank Holiday (oth conditions as current license)</p>		
Mon	10.00	4.00			
Tue	10.00	4.00			
Wed	10.00	4.00			
Thur	10.00	4.00			
Fri	10.00	4.00			
Sat	10.00	4.00			
Sun	10.00	4.00			

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	x
Day	Start	Finish			
Mon	10.00	4.00	<u>Please give further details here</u> (please read guidance note 3) Amplified recoded music as background and entertainment via a DJ Extension requested from current 1.00 until 4.00		
Tue	10.00	4.00			
Wed	10.00	4.00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur	10.00	4.00			
Fri	10.00	4.00	<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 5) New Year from the permitted hours on New Years Eve to the start of hours on New Years Day. Bank Holidays; one additional hour on the evening preceding the Bank Holiday (both conditions as current license)		
Sat	10.00	4.00			
Sun	10.00	4.00			

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	x
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	10.00	4.00	<u>Please give further details here</u> (please read guidance note 3)		
Tue	10.00	4.00			
Wed	10.00	4.00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur	10.00	4.00			
Fri	10.00	4.00	<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 5) New Year from the permitted hours on New Years Eve to the start of hours on New Years Day. Bank Holidays; one additional hour on the evening preceding the Bank Holiday (both conditions as current license)		
Sat	10.00	4.00			
Sun	10.00	4.00			

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					

I

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 type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23.00	4.30	<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	23.00	4.30			
Wed	23.00	4.30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	23.00	4.30			
Fri	23.00	4.30	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5) New Year from the permitted hours on New Years Eve to the start of hours on New Years Day. Bank Holidays; one additional hour on the evening preceding the Bank Holiday (both conditions as current license)		
Sat	23.00	4.30			
Sun	23.00	4.30			

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) Extension from current 1.00 until 4.00	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) <u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5) New Year from the permitted hours on New Years Eve to the start of hours on New Years Day. Bank Holidays; one additional hour on the evening preceding the Bank Holiday (both conditions as current license)		
Mon	8.00	4.00			
Tue	8.00	4.00			
Wed	8.00	4.00			
Thur	8.00	4.00			
Fri	8.00	4.00			
Sat	8.00	4.00			
Sun	8.00	4.00			

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).</p> <p>None</p>

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 6)</p>			<p><u>State any seasonal variations</u> (please read guidance note 4)</p>
Day	Start	Finish	
Mon	7.00	4.30	
Tue	7.00	4.30	
Wed	7.00	4.30	
Thur	7.00	4.30	
Fri	7.00	4.30	
Sat	7.00	4.30	
Sun	7.00	4.30	
			<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p> <p>New Year from the permitted hours on New Years Eve to the start of hours on New Years Day. Bank Holidays; one additional hour on the evening preceding the Bank Holiday (both conditions as current license)</p>

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.

None

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 – YES LICENCE ENCLOSED

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:

PLEASE SEE ATTACHED OPERATING SCHEDULE, DISPERSAL & SMOKING SCHEDULES

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

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ONLINE
- 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	Paul Roden See attached signed document [REDACTED]
Date	15/03/2019
Capacity	Director

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)		

OPERATING SCHEDULE March 2019**MASH TUN, UNIT 6, 55 KING STREET**

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

A) The Prevention of Crime and Disorder

1. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.
2. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
3. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
4. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
5. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment to be carried out by the DPS, on Fridays and Saturdays from 20:00 until 04:30 for the first 3 months of extended hours trading. Thereafter, and all other days, shall be risk assessed. When employed, door staff will wear high visibility armbands.
6. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - (i) the number of door staff on duty;
 - (ii) the identity of each member of door staff;
 - (iii) the times the door staff are on duty.
7. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area as shown on the plan attached to the licence.
8. Staff will be trained in the laws relating to under age sales, and that training shall be documented and repeated at 6 monthly intervals.
9. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.
10. The sale of alcohol will be ancillary to food between the hours of 07:00 and 10:00 daily.

B) Public Safety

1. A first aid box will be available at the premises at all times.
2. Regular safety checks shall be carried out by staff.

3. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
4. The premises shall maintain an Incident Log and public liability insurance.

C) The Prevention of Public Nuisance

1. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
2. The exterior of the building shall be cleared of litter at regular intervals.
3. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
4. Doors and windows at the premises are to remain closed after 11pm, save for access and egress.
5. A Dispersal and Smoking Policy will be implemented and adhered to (see attached).
6. The emptying of bins into skips, and refuse collections will not take place between 23:00 and 08:00.
7. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

D) The Protection of Children From Harm

1. A "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only acceptable forms of ID are photographic driving licences, passports, HM forces warrant cards, EU/EEA national ID card or similar document or a form of identification with the "PASS" hologram.
2. Staff training will include the Challenge 21 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.
3. Notices advising what forms of ID are acceptable must be displayed.
4. Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.
5. After 21:00 children shall not be permitted on the premises unless accompanied by an adult.

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SMOKING & AL FRESCO DINING POLICY

MASH TUN, UNIT 6, 55 KING STREET

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

UNIT 6 55 KING ST, M2 4LQ

DISPERSAL POLICY

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

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

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

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.	LPV 228034
Name of the Premises	Mash Tun MCR
Address of the premises including postcode	Unit 6, 55 King Street, Manchester M2 4LQ

Your Representation

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

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

The application is seeking to allow the premises to sell alcohol until 4am seven days a week nights with a closing time of 0430hrs and GMP believe that the operating schedule offered by the applicant needs to be more robust and have further conditions included.

Therefore if this application was granted GMP would ask that the following conditions are attached to the premises licence to decrease the likelihood of the Licensing Objectives being undermined.

On any day when the premises is to offer licensable activities beyond 00:00 SIA registered door staff shall be employed at the premises at a ratio of 1:100 from 2200 hours until 30 minutes after close to assist with the orderly dispersal of customers. At all other times the requirement for doorstaff shall be determined in accordance with a risk assessment carried out by the DPS. When employed, doorstaff shall wear hi-vis armbands.

When doorstaff are employed, at least one member of doorstaff situated at the entrance to the premises shall wear and use a body cam to capture incidents of violence and/or anti-social behaviour.

AGREED 24.4.19

From: <Alan.Isherwood@gmp.police.uk>
Date: Wed, 24 Apr 2019 at 13:50
Subject: RE: Mash Tun MCR LPV 228034
To: <[REDACTED]>, <premises.licensing@manchester.gov.uk>
Cc: <CentralLicensing@gmp.police.uk>

Dear All,

In view of the email from the applicant's solicitor, in which the conditions below are agreed, GMP are happy for the variation to be granted with these conditions attached. Please be advised that the time stated in the first condition differs from the time stated in my original representation and is now set at 0100 hrs instead of midnight.

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

Kind Regards

Alan

PC 17659 Alan Isherwood

From: PAUL RODEN [REDACTED]
Sent: 24 April 2019 13:44
To: Alan Isherwood
Subject: Re: Mash Tun MCR LPV 228034

Yes Alan I can confirm that the new proposed conditions are acceptable.

Kind regards

Paul

Sent from my iPhone

On 24 Apr 2019, at 13:35,
<Alan.Isherwood@gmp.police.uk>wrote:

Hi Paul,

GMP are fine with the amendment that you have suggested, therefore the conditions will be as follows:

On any day when the premises is to offer licensable activities beyond 01:00, SIA registered door staff shall be employed at the premises at a ratio of 1:100 from 2200 hours until 30 minutes after close to assist with the orderly dispersal of customers. At all other times the requirement for door staff shall be determined in accordance with a risk assessment carried out by the DPS. When employed, door staff shall wear hi-vis armbands.

When door staff are employed, at least one member of door staff situated at the entrance to the premises shall wear and use a body cam to capture incidents of violence and/or anti-social behaviour.

Please can you confirm that you are in agreement with these conditions and I will let Premises Licensing know.

Thanks

Alan


PC 17659 Alan Isherwood
Divisional Licensing Officer
Greater Manchester Police
City of Manchester Division
1st Floor
Manchester Town Hall Extension
Lloyd Street
Manchester
M2 5DB

alan.isherwood@gmp.police.uk<mailto:alan.isherwood@gmp.police.uk>



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NOT PROTECTIVELY MARKED

From: PAUL RODEN [mailto:
Sent: 24 April 2019 11:38
To: Alan Isherwood
Cc: Premises Licensing
Subject: Mash Tun MCR LPV 228034

Dear PC Isherwood

I am writing with reference to the representation submitted regarding the extension of existing hours of operation for Mash Tun MCR, Unit 6 King Street, Manchester M2 4LQ. The existing hours are 1.00 am for the sale of alcohol and the application was to extend to 4.00am.

We recognise that the extension of hours will require a more robust management of the risks which will need to be reflected in the Operating Schedule to address the potential risks of Crime and Disorder, Public Nuisance and Public Safety.

We fully take on board your suggestions with regards to the evenings when the 'extension' to the licensing hours is being used in that the venue would require the presence of SIA registered door staff in the ratio of 1:100 guests from 22.00 until 30 minutes after close. We are also in agreement that at least one of the doorstaff shall use a body cam and all doorstaff wear hi vis armbands.

Given that the existing hours are 1.00am would it be acceptable to implement your recommendation whenever the venue plans to use the license beyond that time rather than 00.00. At all other times the DPS would assess the risk and when deemed necessary doorstaff would be used at the premises.

I hope that we can work together with you and the Licensing Team to satisfy your concerns and

ensure the extension to the existing hours from 1.00 until 4.00 is managed in a satisfactory manner.

Kind regards
Paul Roden
LHH Investments



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details	
Application Ref No	REF 228034
Name of Premises	Mash Tun Mcr
Address	Unit 6a, 55 King Street, Manchester, M2 4LQ

Representation
<p>Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.</p> <p>The Licensing and Out of Hours Team (LOOH) have assessed the likely impact of the granting of this application 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.</p> <p>The premise is situated on King Street in Manchester City Centre and has previously operated as a restaurant/bar which is in keeping with the licensed premises within the area.</p> <p>With the location of the premises in the vicinity of three hotels, with a fourth to be opened shortly, the Licensing and Out of Hours Team have concerns that there is the potential of noise disturbance for hotel guest and residents in the area, see Annex 1 below. Many of the premises in the vicinity close at 02:00 on weekends and before 00:00 during the week.</p> <p>We believe that the later hours proposed would increase the likelihood of public nuisance due to the increase in people outside the premises, when smoking, queuing, and entering/exiting the premises. Music outbreak is a concern, not only from inside the premise but during access/egress and with the use of external speakers all occurring until 04:00. As Section 7.29 of Manchester's Statement of licensing policy states, the authority considers that later hours will typically be more sensitive and higher risk in causing problems. Current and proposed conditions state no noise is to emanate from the premises which gives rise to nuisance, and we believe this would be more likely with the proposed hours.</p> <p>With regards to SIA, the applicant has applied for the following:</p> <p><i>SIA registered door staff shall be employed at the premises, in accordance with a risk assessment to be carried out by the DPS, on Fridays and Saturdays from</i></p>

20:00 until 04:30 for the first 3 months of extended hours trading. Thereafter, and all other days, shall be risk assessed. When employed, door staff will wear high visibility armbands.

In this section of the applicants operating schedule they also reference the following:

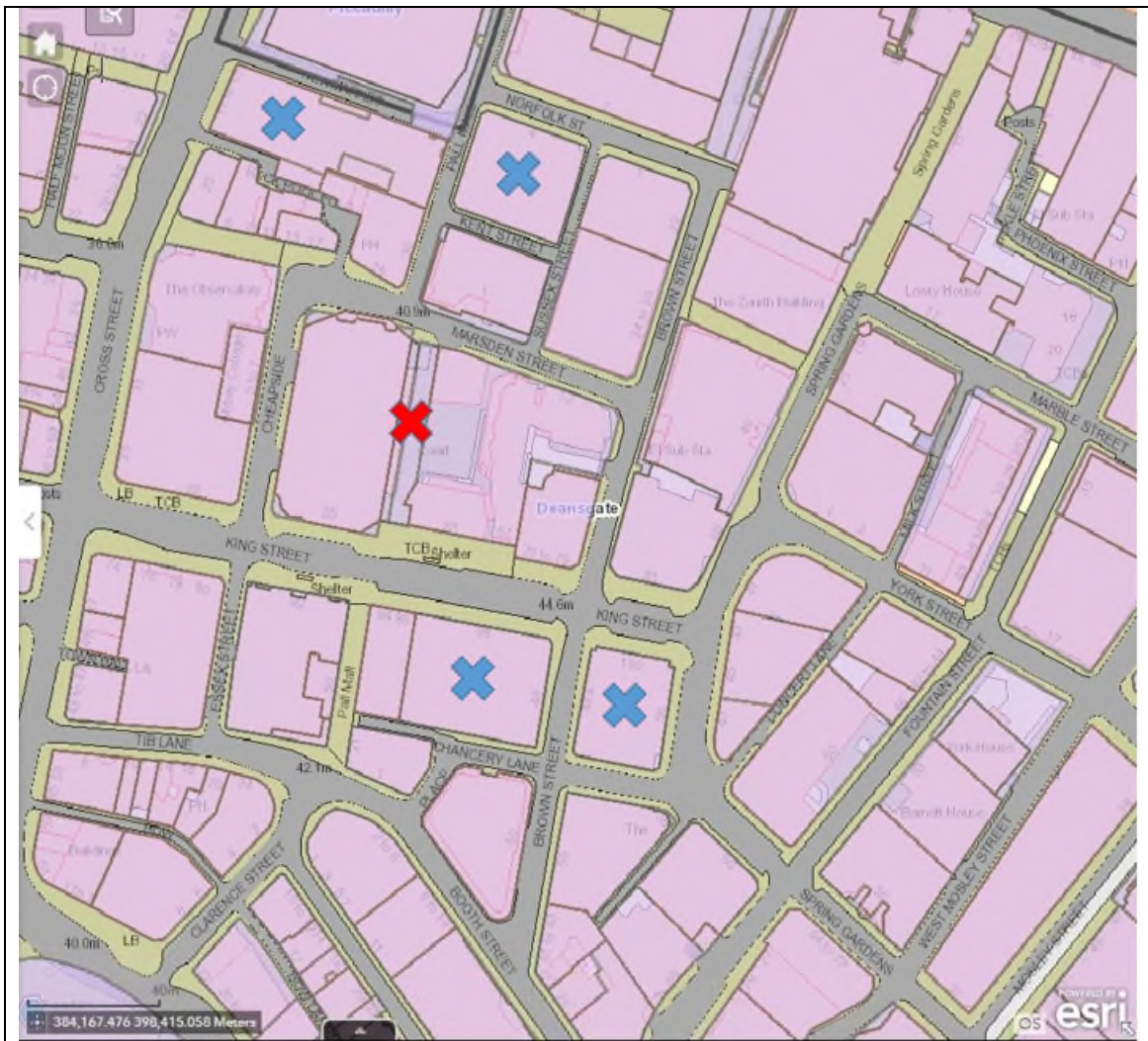
Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area as shown on the plan attached to the licence.

The LOOH team feel that these are inadequate for a 04:30 licence. The SIA door staff carry out an important role concerning all four of the licensing objectives. With the concerns to public nuisance raised above we feel they would carry out an important role in managing the outside area and preventing public nuisance.

We are also concerned that no time restriction has been offered with the outside area, leading to the possibility of patrons drinking alcohol in glass containers until 04:30 and no SIA managing.

As a result of the above assessment we have concerns that the granting of this application is likely to lead to issues of public nuisance, in its current form, and therefore we would request this application to be refused.

Annex 1 over page:



 Mash Tun MCR

 Hotels

Recommendation: Refuse Application unless reduced hours and greater noise measures can be proposed.

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Staff shall be trained in the requirements of the Licensing Act 2003 with regard to the Licensing Objectives. 2. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally. 3. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request. 4. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player. 5. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request. 6. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment to be carried out by the DPS, on Fridays and Saturdays from 20:00 until 04:30 for the first 3 months of extended hours trading. Thereafter, and all other days, shall be risk assessed. When employed, door staff will wear high visibility armbands. 7. When employed, a register of those door staff employed shall be maintained at the premises and shall include: <ol style="list-style-type: none"> a. the number of door staff on duty; b. the identity of each member of door staff; c. the times the door staff are on duty. 8. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area as shown on the plan attached to the licence. 9. Staff will be trained in the laws relating to under age sales, and that training shall be documented and repeated at 6 monthly intervals. 10. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request. 11. The sale of alcohol will be ancillary to food between the hours of 07:00 and 10:00 daily. 	N/A	Applicant

Schedule of Licence Conditions

<p>12. A first aid box will be available at the premises at all times.</p> <p>13. Regular safety checks shall be carried out by staff.</p> <p>14. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.</p> <p>15. The premises shall maintain an Incident Log and public liability insurance.</p> <p>16. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.</p> <p>17. The exterior of the building shall be cleared of litter at regular intervals.</p> <p>18. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.</p> <p>19. Doors and windows at the premises are to remain closed after 11pm, save for access and egress.</p> <p>20. A Dispersal and Smoking Policy will be implemented and adhered to (see attached).</p> <p>21. The emptying of bins into skips, and refuse collections will not take place between 23:00 and 08:00.</p> <p>22. 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>23. A "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only acceptable forms of ID are photographic driving licences, passports, HM forces warrant cards, EU/EEA national ID card or similar document or a form of identification with the "PASS" hologram.</p> <p>24. 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>25. Notices advising what forms of ID are acceptable must be displayed.</p>		
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Schedule of Licence Conditions

<p>26. Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.</p> <p>27. After 21:00 children shall not be permitted on the premises unless accompanied by an adult.</p>		
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 1. On any day when the premises is to offer licensable activities beyond 01:00, SIA registered door staff shall be employed at the premises at a ratio of 1:100 from 2200 hours until 30 minutes after close to assist with the orderly dispersal of customers. At all other times the requirement for door staff shall be determined in accordance with a risk assessment carried out by the DPS. When employed, door staff shall wear hi-vis armbands. 2. When door staff are employed, at least one member of door staff situated at the entrance to the premises shall wear and use a body cam to capture incidents of violence and/or anti-social behaviour. 	Yes	GMP

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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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