



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 20 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 Antechamber**

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

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

## **Membership of the Licensing Sub Committee Hearing Panel**

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**Councillors** – Ludford (Chair), Grimshaw and Stone.

## Agenda

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**1. Urgent Business**

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

**2. Appeals**

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

**3. Interests**

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

- 4. Application for a New Premises Licence for Campfield Market Hall, Campfield Avenue Arcade, M3 4FH - For Manchester International Festival (from 24/06/2019 to 22/07/2019)** 5 - 66
- The report of the Head of Planning, Building Control and Licensing is attached.

- 5. Application for a New Premises Licence for Kids Palace Ltd, 3 Keymer Street, Manchester, M11 3FY.** 67 - 114
- The report of the Head of Planning, Building Control and Licensing is attached.

- 6. Application for a New Premises Licence for Vibes Bar and Restaurant, 414-416 Wilbraham Road, Manchester, M21 0SD.** 115 - 194
- The report of the Head of Planning, Building Control and Licensing is attached.

- 7. Application for a Premises Licence Variation for Victoria Inn, 196 Burnage Lane M19 1FL.** 195 - 268
- The report of the Head of Planning, Building Control and Licensing is attached.

## Information about the Committee

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

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

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

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

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

Smoking is not allowed in Council buildings.

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

## Further Information

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

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This agenda was issued on **Friday, 10 May 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 – 20 May 2019

**Subject:** Campfield Market Hall, Campfield Avenue Arcade, M3 4FH –  
For Manchester International Festival (from 24/06/2019 to 22/07/2019)  
App ref: Premises Licence (new) 228236hh

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

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### Summary

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

### Recommendations

That the Panel determine the application.

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### Wards Affected:

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

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### **Financial Consequences – Revenue**

None

### **Financial Consequences – Capital**

None

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### **Contact Officers:**

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

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

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

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

## 1. **Introduction**

- 1.1 On 21/03/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Campfield Market Hall, Campfield Avenue Arcade, Manchester, M3 4FH in the Deansgate ward of Manchester. The application is for Manchester International Festival, and the duration of the licence is requested from 24/06/2019 to 22/07/2019.
- 1.2 A location map and photograph of the premises is attached at **Appendix 1**.
- 1.3 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.
- 1.4 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.
- 1.5 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 International Festival.
- 2.3 The description of the premises by the applicant is as follows:

Campfield Market Hall is a Victorian former covered market building dating from 1882 (restored in 1885 and refurbished in 1994). It consists of a large open hall with an office, toilets and storage rooms to one side. There are two sets of full height double crash doors (1600mm each door) on two sides of the building (Liverpool Road & Barton Street). On Tonman Street there are two full height doors (1600mm each door) and a double door (800mm per door) on the Deansgate (Campfield Avenue Arcade) side of the building.

The hall will be used as a performance space for Manchester International Festival event/s playing to a standing audience. A ticket will be required to attend.

There will be staging for the event/s within the venue with additional lighting, sound equipment, video equipment and set elements.

Audience will enter either through the door on Campfield Avenue Arcade on the Deansgate side of the building or via the Barton Street entrance. Dispersal direction is TBC but will be included in a full dispersal plan.

Emergency exits are situated on each side of the hall. There are a total of five 1600mm exit doors each of which will be manned when the hall is open to the public for performances. All security and front of house personnel will be fully briefed each day in the evacuation procedure to aid in the quick and efficient evacuation of audience members should the occasion arise.

MIF will arrange a full SAG (Safety Advisory Group) meeting to discuss the festival including all events taking place at Campfield Market Hall and an event plan for each event will be submitted to the Responsible Authorities prior to the commencement of the licence.

- 2.4 The proposed designated premises supervisor is David Charles Douglas Thompson.

2.5 **The licensable activities applied for:**

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

Mon to Thurs noon until midnight, Fri/Sat/Sun 9am until midnight

The supply of alcohol for consumption on the premises only:

Mon to Thurs noon until midnight, Fri/Sat/Sun 9am until midnight

Opening hours:

Mon to Thurs noon until half past midnight, Fri/Sat/Sun 9am until half past midnight

- 2.5.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 2.5.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.

2.6 **Activities unsuitable for children**

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

2.7 **Steps to promote the licensing objectives**

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

- 2.7.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 4**.

### 3. **Relevant Representations**

- 3.1 A total of one relevant representation was received in respect of the application (**Appendix 3**). The personal details of this members of the public have been redacted. Original copies of this representation will be available to the Panel at the hearing.

Other Persons:

- Residents (x1).

- 3.2 Summary of the representation:

Party	Grounds of representation	Recommends
<b>Residents (x1)</b>	<p>This objection is made “on the grounds of continual noise nuisance from this venue when events have music. I am happy for this venue to be used for any other purpose but not music”. The objector considers that the venue “is not fit for purpose to hold any event that has music. The venue has no sound proofing and should not be used for such events.”</p> <p>The objector lives in close proximity to the venue.</p>	Happy for the venue to be used for any purpose other than music

- 3.3 The objector has not proposed any conditions so there are none to add to the Schedule of Conditions at **Appendix 4**.
- 3.4 No agreement has been reached with the objector.

### 4. **Key Policies and Considerations**

#### 4.1 **Legal Considerations**

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

#### 4.2 **New Information**

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

### 4.3 Hearsay Evidence

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

### 4.4 The Secretary of State's Guidance to the Licensing Act 2003

- 4.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided for all parties involved in licensing. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.
- 4.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.
- 4.4.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

### 4.5 Manchester Statement of Licensing Policy

- 4.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' its statement of licensing policy.
- 4.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.
- 4.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.
- 4.5.4 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy:

#### ***Section 6: What we aim to encourage***

This section identifies certain types of venues and initiatives the licensing authority aims to encourage in order to promote an inclusive evening and night-time economy not simply focused on the consumption of alcohol. We aim to encourage:

- Premises that will extend the diversity of entertainment and attract a wider range of participants
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
- National cultural institutions, global sports events and cultural festivals
- Non-drink-led premises, including restaurants, cafes, theatres and cinemas
- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application
- Participation in Pubwatches, off licence forums and other crime-reduction partnerships
- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

### ***Section 7: Local factors***

This section sets out key issues that applicants are expected to take into account relevant to the individual characteristics of the premises when preparing their operating schedule and address any local factors relevant to their premises.

Having regard to the grounds of the representations made, the Panel are recommended to have regard to the following Factors:

- Evidence of pre-existing problems in the area
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance

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

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

## MS8 Prevent noise nuisance from the premises

**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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Campfield Market Hall  
Campfield Avenue Arcade, Manchester, M3 4FH



**PREMISE NAME:** Campfield Market Hall

**PREMISE ADDRESS:** Campfield Avenue Arcade, Manchester, M3 4FH

**WARD:** Deansgate

**HEARING DATE:**

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

**I/We** MANCHESTER INTERNATIONAL FESTIVAL

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description <b>Campfield Market Hall</b> <b>Campfield Avenue Arcade</b> <b>Manchester,</b>			
<b>Post town</b>	<b>Manchester</b>	Postcode	<b>M3 4FH</b>

Telephone number at premises (if any)	<b>N/A</b>
Non-domestic rateable value of premises	<b>£76,500</b>

**Part 2 - Applicant details**

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

- |  |                                     |                             |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals *                    | <input type="checkbox"/>            | please complete section (A) |
| b) a person other than an individual *               |                                     |                             |
| i as a limited company/limited liability partnership | <input 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 checked="" type="checkbox"/> | please complete section (B) |

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

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

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☐

I am making the application pursuant to a statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

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

**SECOND INDIVIDUAL APPLICANT** (if applicable)

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

**(B) OTHER APPLICANTS**

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

<b>Name</b> MANCHESTER INTERNATIONAL FESTIVAL
<b>Address</b> BLACKFRIARS HOUSE PARSONAGE MANCHESTER M3 2JA
<b>Registered number (where applicable)</b> 1113902
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b> CHARITY
<b>Telephone number (if any)</b> [REDACTED]
<b>E-mail address (optional)</b> [REDACTED]

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD		MM		YYYY			
2	4	0	6	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			
2	2	0	7	2	0	1	9

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

Campfield Market Hall is a Victorian former covered market building dating from 1882 (restored in 1885 and refurbished in 1994). It consists of a large open hall with an office, toilets and storage rooms to one side. There are two sets of full height double crash doors (1600mm each door) on two sides of the building (Liverpool Road & Barton Street). On Tonman Street there are two full height doors (1600mm each door) and a double door (800mm per door) on the Deansgate (Campfield Avenue Arcade) side of the building.

The hall will be used as a performance space for Manchester International Festival event/s playing to a standing audience. A ticket will be required to attend.

There will be staging for the event/s within the venue with additional lighting, sound equipment, video equipment and set elements.

Audience will enter either through the door on Campfield Avenue Arcade on the Deansgate side of the building or via the Barton Street entrance. Dispersal direction is TBC but will be included in a full dispersal plan.

Emergency exits are situated on each side of the hall. There are a total of five 1600mm exit doors each of which will be manned when the hall is open to the public for performances. All security and front of house personnel will be fully briefed each day in the evacuation procedure to aid in the quick and efficient evacuation of audience members should the occasion arise.

MIF will arrange a full SAG meeting to discuss the festival including all events taking place at Campfield Market Hall and an event plan for each event will be submitted to the Responsible Authorities prior to the commencement of the licence.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- |  |                                     |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A)                             | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B)                             | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C)            | <input type="checkbox"/>            |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/>            |



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

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

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

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

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)  Spoken word will make up a portion of the event/s		
Mon	1200	0000			
Tue	1200	0000			
Wed	1200	0000	<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur	1200	0000			
Fri	0900	0000	<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	0900	0000			
Sun	0900	0000			

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)  Video images and films will be shown as part of the event/s.		
Mon	1200	0000			
Tue	1200	0000			
Wed	1200	0000			
Thur	1200	0000	<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Fri	0900	0000			
Sat	0900	0000			
Sun	0900	0000			
			<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		

C

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

**D**

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

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	1200	0000	<b><u>Please give further details here</u></b> (please read guidance note 4)  Live music will be inherent to event/s within the venue		
Tue	1200	0000			
Wed	1200	0000	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Thur	1200	0000			
Fri	0900	0000	<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	0900	0000			
Sun	0900	0000			

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)  Recorded music may be played as part of the event/s Pre and post show recorded music may also be played.		
Mon	1200	0000			
Tue	1200	0000	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Wed	1200	0000			
Thur	1200	0000	<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri	0900	0000			
Sat	0900	0000			
Sun	0900	0000			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	1200	0000	<b><u>Please give further details here</u></b> (please read guidance note 4)  An artist or artists may dance as part of the event/s.		
Tue	1200	0000			
Wed	1200	0000	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur	1200	0000			
Fri	0900	0000	<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	0900	0000			
Sun	0900	0000			

**H**

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



**I**

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

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	1200	0000			
Tue	1200	0000			
Wed	1200	0000			
Thur	1200	0000			
Fri	0900	0000			
Sat	0900	0000			
Sun	0900	0000	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		

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

Name David Charles Douglas Thompson	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) VEPERS1951	
Issuing licensing authority (if known) Calderdale 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

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b><u>State any seasonal variations</u></b> (please read guidance note 5)
Day	Start	Finish	
Mon	1200	0030	
Tue	1200	0030	
Wed	1200	0030	<b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 6)
Thur	1200	0030	
Fri	0900	0030	
Sat	0900	0030	
Sun	0900	0030	

**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)**

**CONSULTATION**

Local residents and businesses in the surrounding area have received a letter outlining that MIF are planning to hold events at Campfield Market Hall during the course of the festival. Additionally, **Castlefield Residents Forum** have published a digital copy of the letter on their website.

During the festival there will be a dedicated telephone number for local residents and businesses to contact MIF in the case of any concern prior to and during the festival. MIF will forward a copy of the letter to licensing and will also hold details of where correspondence has been sent.

**SECURITY & FIRST AID**

The building will have controlled exit and entrance points. SIA approved security staff will be on site and on all entrances and exits when the building is open to the public. Entrance will be by ticket only which will be checked by FOH or security personnel upon entry. Medical Services personnel as appropriate will also be on duty when the building is open to the public.

**SALE OF ALCOHOL**

When the venue is open to the public & alcohol is on sale current licensing laws will be adhered to. All sales of alcohol will be authorised by a Personal Licence holder present during licensing hours. All catering staff will have been trained in the Challenge 21 policy and its operation. All staff training will also have included dealing with drugs and drunkenness. Members of the public will be asked to produce appropriate photo ID if they are believed to be under the age of 21 i.e. driving licence, passport, PASS accredited proof of age card. Catering staff will monitor alcohol consumption of members of the public and will not serve anyone who they reasonably believe to be intoxicated. Notices will be displayed in prominent positions at the premises indicating that the Challenge 21 policy is in force. An Alcohol Management Plan will be in place prior to the commencement of the Licence.

**TOILET FACILITIES**

There are plumbed toilets including an accessible toilet inside the venue.

**EVENT PLAN**

An event plan will be submitted to the Responsible Authorities prior to commencement of events.

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

**SECURITY**

SIA approved security staff will be employed at all times the building is open to the public. MIF will ensure that a site visit and risk assessment is carried out by their security provider and will ask them to advise on the appropriate number of staff needed to ensure a safe environment. This information will be included in the event plans which will be submitted to the Responsible Authorities prior to the events.

**SALE OF ALCOHOL**

Alcohol will only be sold during events taking place in Campfield and will be available to ticket holders only.

Alcohol Management Plans will be in place prior to the carrying out of licensable activities under the Licence.

All sales of alcohol will be authorised by a Personal Licence holder present during licensing hours. Temporary bars will be situated within the site managed by a catering company. Details of the company once appointed will be forwarded to MCC. All catering staff will be trained in the Challenge 21 policy and its operation. Members of the public will be asked to produce photo ID if they are believed to be under the age of 21 i.e. driving licence, passport, PASS accredited proof of age card. Catering staff will monitor alcohol consumption and will not serve anyone who they have reason to believe is intoxicated.

Notices will be displayed at the premises entrance indicating the Challenge/ 21 policy is in operation and on all exits stating that alcohol cannot be taken out of the building. Strategic plans will be made to deal with members of the general public who are believed to be intoxicated, which will be illustrated in the Alcohol Management Plan/s.

#### SMOKING

A smoking policy will be in place prior to the carrying out of licensable activities under the licence. This will include the location of a specific designated smoking area agreed in advance.

### c) Public safety

#### LIGHTING

Theatrical lighting will be installed throughout. A full temporary emergency lighting system will run from the same mains supply as the lighting system.

#### EVACUATION

A fire evacuation plan is to be formulated in advance and will be the responsibility onsite of the Venue Manager.

During the performance all exit doors will be manned should they need to be opened in the case of emergency. A full staff briefing, which will include the managed evacuation procedure, will be carried out before each performance.

Agreed evacuation procedures in the event of an emergency, which will include the evacuation of disabled customers, will be included in the separate event plans and communicated to all staff who will be made aware of their individual roles should an evacuation become necessary.

A dispersal policy shall be in place prior to the carrying out of licensable activities under the licence.

#### SECURITY

SIA approved security staff will be employed at all times the building is open to the public. MIF will ensure that a site visit and risk assessment is carried out by their security provider and will ask them to advise on the appropriate number of staff needed to ensure a safe environment. This information will be included in the event plans which will be submitted to the Responsible Authorities prior to the events.

#### FIRST AID

Medical personnel as appropriate will be onsite at all times the venue is open to the public. The level of cover will be comparable to the audience size and demographic.

#### PLASTIC GLASSES

All drinks will be supplied in containers made from non-splintering plastic or paper; all individual drinks in glass bottles will be decanted into such containers prior to serving.

#### SMOKING

A smoking policy will be in place prior to the carrying out of licensable activities under the licence. This will include the location of a specific designated smoking area agreed in advance.

**d) The prevention of public nuisance****NOISE**

All noise levels will be monitored by the Venue Manager.

All noise levels will be monitored using a recognised system at the front of house control position. Noise levels will be controlled and monitored throughout sound checks and performance. A written record of time and location of noise monitoring will be kept and made available to any officer from MCC during the event.

**DISPERSAL**

A Dispersal policy will be in place prior to the carrying out of licensable activities under the Licence.

Door staff will ask customers to leave quietly in order to minimize any disruption to nearby residents and will ensure that customers do not leave the building with alcohol.

**SMOKING**

A smoking policy will be in place prior to the carrying out of licensable activities under the licence. This will include the location of a specific designated smoking area agreed in advance.

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

All persons entering the premises will need a ticket. Some events will require Under 18's to be accompanied by an adult.

**SALE OF ALCOHOL**

No alcohol to be purchased or consumed by any person under 18 years of age.

Current licensing legislation will be strictly adhered to. A personal licence holder present will authorize all sales of alcohol during licensing hours. All catering staff will have been trained in the Challenge 21 policy and its operation. All staff training will also have included dealing with drugs and drunkenness. Members of the public will be asked to present appropriate photo ID if they are believed to be under the age of 21 i.e driving licence, passport, PASS accredited proof of age card. Catering staff will monitor alcohol consumption and will not serve anyone who they have reason to believe is intoxicated. Notices will be displayed at the premises entrance indicating the Challenge 21 policy is in force.

Alcohol Management Plan/s will be in place prior to the carrying out of any licensable activities under the licence.

**CHILD PROTECTION POLICY**

The child protection policies of MIF and its partners will be shared with the Responsible Authorities in advance of the event.

**SECURITY & FIRST AID**

Security and First Aid personnel as appropriate will be on duty throughout the events. MIF will request their internal child protection policies in advance of the events.

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

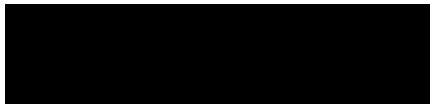
- I have made or enclosed payment of the fee. ☐
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☐

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
Signature	
Date	18 <sup>th</sup> March 2019
Capacity	Applicant, Technical Director MIF

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			



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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[REDACTED] to:premises.licensing@manchester.gov.uk

date:8 Apr 2019, 13:39subject:Reference: 228236/HH1security: Standard encryption

(TLS) [Learn more](#) :Important according to Google magic.

Hello

I would like to object to this license on the grounds of continual noise nuisance from this venue when events have music. I am happy for this venue to be used for any other purpose but not music.

This venue is not fit for purpose to hold any event that has music. The venue has no sound proofing and should not be used for such events.

My flat is 20m away from the venue and I can hear the music in every room of my flat. For example, this weekend I had to put up with 3 evenings of music. The promoter promised I would not be able to hear the music but I did for 3 evenings. The base from the music could be felt in every room of my flat.

I have been complaining about this for 8 yrs, but licenses are still being approved.

Thanks

[REDACTED]

[REDACTED]

[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
<p><b>Steps to promote licensing objectives as given by the applicant:</b></p> <p><u>A) General – all four licensing objectives</u></p> <p><b>CONSULTATION</b>  Local residents and businesses in the surrounding area have received a letter outlining that MIF are planning to hold events at Campfield Market Hall during the course of the festival. Additionally, Castlefield Residents Forum have published a digital copy of the letter on their website.  During the festival there will be a dedicated telephone number for local residents and businesses to contact MIF in the case of any concern prior to and during the festival.  MIF will forward a copy of the letter to licensing and will also hold details of where correspondence has been sent.</p> <p><b>SECURITY &amp; FIRST AID</b>  The building will have controlled exit and entrance points. SIA approved security staff will be on site and on all entrances and exits when the building is open to the public. Entrance will be by ticket only which will be checked by FOH or security personnel upon entry. Medical Services personnel as appropriate will also be on duty when the building is open to the public.</p> <p><b>SALE OF ALCOHOL</b>  When the venue is open to the public &amp; alcohol is on sale current licensing laws will be adhered to. All sales of alcohol will be authorised by a Personal Licence holder present during licensing hours. All catering staff will have been trained in the Challenge 21 policy and its operation. All staff training will also have included dealing with drugs and drunkenness. Members of the public will be asked to produce appropriate photo ID if they are believed to be under the age of 21 i.e. driving licence, passport, PASS accredited proof age card. Catering staff will monitor alcohol consumption of members of the public and will not serve anyone who they reasonably believe to be intoxicated. Notices will be displayed in prominent positions at the premises indicating that the Challenge 21 policy is in force.  An Alcohol Management Plan will be in place prior to the commencement of the Licence.</p> <p><b>TOILET FACILITIES</b>  There are plumbed toilets including an accessible toilet inside the venue.</p> <p><b>EVENT PLAN</b>  An event plan will be submitted to the Responsible Authorities prior to commencement of events.</p>	N/A	Applicant

## Schedule of Licence Conditions

<p><u>B) The prevention of crime and disorder</u></p> <p><b>SECURITY</b> SIA approved security staff will be employed at all times the building is open to the public. MIF will ensure that a site visit and risk assessment is carried out by their security provider and will ask them to advise on the appropriate number of staff needed to ensure a safe environment. This information will be included in the event plans which will be submitted to the Responsible Authorities prior to the events.</p> <p><b>SALE OF ALCOHOL</b> Alcohol will only be sold during events taking place in Campfield and will be available to ticket holders only. Alcohol Management Plans will be in place prior to the carrying out of licensable activities under the Licence. All sales of alcohol will be authorised by a Personal Licence holder present during licensing hours. Temporary bars will be situated within the site managed by a catering company. Details of the company once appointed will be forwarded to MCC. All catering staff will be trained in the Challenge 21 policy and its operation. Members of the public will be asked to produce photo ID if they are believed to be under the age of 21 i.e driving licence, passport, PASS accredited proof of age card. Catering staff will monitor alcohol consumption and will not serve anyone who they have reason to believe is intoxicated. Notices will be displayed at the premises entrance indicating the Challenge/ 21 policy is in operation and on all exits stating that alcohol cannot be taken out of the building. Strategic plans will be made to deal with members of the general public who are believed to be intoxicated, which will be illustrated in the Alcohol Management Plan/s.</p> <p><b>SMOKING</b> A smoking policy will be in place prior to the carrying out of licensable activities under the licence. This will include the location of a specific designated smoking area agreed in advance</p> <p><u>C) Public safety</u></p> <p><b>LIGHTING</b> Theatrical lighting will be installed throughout. A full temporary emergency lighting system will run from the same mains supply as the lighting system.</p> <p><b>EVACUATION</b> A fire evacuation plan is to be formulated in advance and will be the responsibility onsite of the Venue Manager. During the performance all exit doors will be manned should they need to be opened in the case of emergency. A full staff briefing, which will include the managed evacuation procedure, will be carried out before each performance.</p>		
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## Schedule of Licence Conditions

<p>Agreed evacuation procedures in the event of an emergency, which will include the evacuation of disabled customers, will be included in the separate event plans and communicated to all staff who will be made aware of their individual roles should an evacuation become necessary.</p> <p>A dispersal policy shall be in place prior to the carrying out of licensable activities under the licence.</p> <p><b>SECURITY</b> SIA approved security staff will be employed at all times the building is open to the public. MIF will ensure that a site visit and risk assessment is carried out by their security provider and will ask them to advise on the appropriate number of staff needed to ensure a safe environment. This information will be included in the event plans which will be submitted to the Responsible Authorities prior to the events.</p> <p><b>FIRST AID</b> Medical personnel as appropriate will be onsite at all times the venue is open to the public. The level of cover will be comparable to the audience size and demographic.</p> <p><b>PLASTIC GLASSES</b> All drinks will be supplied in containers made from non-splintering plastic or paper; all individual drinks in glass bottles will be decanted into such containers prior to serving.</p> <p><b>SMOKING</b> A smoking policy will be in place prior to the carrying out of licensable activities under the licence. This will include the location of a specific designated smoking area agreed in advance.</p> <p><u>D) The prevention of public nuisance</u></p> <p><b>NOISE</b> All noise levels will be monitored by the Venue Manager. All noise levels will be monitored using a recognised system at the front of house control position. Noise levels will be controlled and monitored throughout sound checks and performance. A written record of time and location of noise monitoring will be kept and made available to any officer from MCC during the event.</p> <p><b>DISPERSAL</b> A Dispersal policy will be in place prior to the carrying out of licensable activities under the Licence. Door staff will ask customers to leave quietly in order to minimize any disruption to nearby residents and will ensure that customers do not leave the building with alcohol.</p>		
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## Schedule of Licence Conditions

<p><b>SMOKING</b> A smoking policy will be in place prior to the carrying out of licensable activities under the licence. This will include the location of a specific designated smoking area agreed in advance.</p> <p><u>E) The protection of children from harm</u></p> <p><b>AGE RESTRICTION</b> All persons entering the premises will need a ticket. Some events will require Under 18's to be accompanied by an adult.</p> <p><b>SALE OF ALCOHOL</b> No alcohol to be purchased or consumed by any person under 18 years of age. Current licensing legislation will be strictly adhered to. A personal licence holder present will authorize all sales of alcohol during licensing hours. All catering staff will have been trained in the Challenge 21 policy and its operation. All staff training will also have included dealing with drugs and drunkenness. Members of the public will be asked to present appropriate photo ID if they are believed to be under the age of 21 i.e driving licence, passport, PASS accredited proof of age card. Catering staff will monitor alcohol consumption and will not serve anyone who they have reason to believe is intoxicated. Notices will be displayed at the premises entrance indicating the Challenge 21 policy is in force. Alcohol Management Plan/s will be in place prior to the carrying out of any licensable activities under the licence.</p> <p><b>CHILD PROTECTION POLICY</b> The child protection policies of MIF and its partners will be shared with the Responsible Authorities in advance of the event.</p> <p><b>SECURITY &amp; FIRST AID</b> Security and First Aid personnel as appropriate will be on duty throughout the events. MIF will request their internal child protection policies in advance of the events.</p>		
Conditions proposed by objectors	Agreed	Proposed by
None	N/A	N/A

**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 20 May 2019

**Subject:** Kids Palace Ltd, 3 Keymer Street, Manchester, M11 3FY - App ref: Premises Licence (new)226977

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

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**Summary**

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

**Recommendations**

That the Panel determine the application.

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**Wards Affected:**

Ancoats and Beswick

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

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

Equal Opportunities Policy  
Risk Management  
Legal Considerations

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### **Financial Consequences – Revenue**

None

### **Financial Consequences – Capital**

None

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### **Contact Officers:**

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

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

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

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

## 1. **Introduction**

- 1.1 On 22/03/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Kids Palace Ltd, 3 Keymer Street, Manchester, M11 3FY in the Ancoats and Beswick 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 Kids Palace Ltd.
- 2.3 The description of the premises by the applicant is:  
  
This building will be used as a community centre where people from our community will be gathering. We will be selling alcohol to them. We already have a supplementary school for the children of our community.
- 2.4 The proposed designated premises supervisor is Djoueni Edwige Stephanie Koulaouinhi
- 2.5 **The licensable activities applied for:**  
  
Provision of regulated entertainment (recorded music, performances of dance):  
Fri to Sun 3pm to 5am  
  
Provision of regulated entertainment (anything of a similar description to live music, recorded music or performances of dance):  
Fri to Sat 3pm to 5am and Sun 10pm to 5am  
  
Provision of late night refreshment:  
Fri to Sun 11pm to 5am

The supply of alcohol for consumption both on and off the premises:  
Fri to Sun 3pm to 5am

Opening hours:  
Mon - Thu 10am to 2.30pm  
Fri - Sun 10am to 5am

2.5.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.

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

## 2.6 **Activities unsuitable for children**

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

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

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

2.7.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 4**.

## 3. **Relevant Representations**

3.1 A total of 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:

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

### Other Persons:

- Ancoats and Beswick Ward Councillor

## 3.2 Summary of the representations:

Party	Grounds of representation	Recommends
<b>GMP</b>	GMP's representation is based around all 4 of the licensing objectives. The operating schedule offers hardly any enforceable conditions, concerned how premises will be operated. Hours applied for are excessive for premises called Kids Palace. GMP believe that by granting the licence it would undermine all 4 of the licensing objectives.	Refuse
<b>Licensing and Out of Hours Compliance</b>	LOOH's representation looks at what has been applied for and questions what is missing from the application, e.g. drinking up/dispersal time, proximity to the Etihad Stadium and will it be open match days. Concerns over closing time of 5am applied for and the fact that the supplementary school then opens at 10am. LOOH do not believe that the applicant has considered the risks involved carrying out licensing activities.	Refuse
<b>Trading Standards</b>	TS's representation is based around the protection of children from harm and the lack of demonstration from the applicant of the steps that they would take and the procedures they would implement to ensure that the licensing objective is upheld.	Refuse
<b>Licensing Authority</b>	The LA's representation refers to Licensing Act 2003, section 182 Guidance and MCC's Statement of Licensing Policy 2016-21 and lists examples of where the applicant has not addressed these in the application. It suggests that there is a likely risk of crime and disorder; public nuisance; risk to public safety; and harm to children. The applicant's failure to consider and identify the relevant risks gives rise to concerns over their ability to operate a licensed premises in a manner that will promote the licensing objectives.	Refuse
<b>Ancoats and Beswick Ward Councillor</b>	The ward Councillor's representation looks at the hours applied for (Fri to Sun 3pm to 5am) and the potential of antisocial behaviour and states that the location is unsuitable (in the middle of an industrial estate adjacent to the Etihad Stadium.) The lack of detail in the application and that it is unclear what the premises will be used for and therefore what	Refuse

	<p>impact it would have on the local community. Another concern is the name 'Kids Palace' and that it's unclear whether the premises is primarily for children or adults, and concerned over the safeguarding of children where alcohol is sold to 5am.</p>	
--	---	--

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

#### **4. Key Policies and Considerations**

##### **4.1 Legal Considerations**

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

##### **4.2 New Information**

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

##### **4.3 Hearsay Evidence**

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

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

- 4.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided for all parties involved in licensing. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.
- 4.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.
- 4.4.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.



## 4.5 **Manchester Statement of Licensing Policy**

- 4.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' its statement of licensing policy.
- 4.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.
- 4.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.
- 4.5.4 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy:

### ***Section 6: What we aim to encourage***

This section identifies certain types of venues and initiatives the licensing authority aims to encourage in order to promote an inclusive evening and night-time economy not simply focused on the consumption of alcohol. We aim to encourage:

- Premises that will extend the diversity of entertainment and attract a wider range of participants
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
- National cultural institutions, global sports events and cultural festivals
- Non-drink-led premises, including restaurants, cafes, theatres and cinemas
- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application
- Participation in Pubwatches, off licence forums and other crime-reduction partnerships
- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

### ***Section 7: Local factors***

This section sets out key issues that applicants are expected to take into account relevant to the individual characteristics of the premises when preparing their operating schedule and address any local factors relevant to their premises.

Having regard to the grounds of the representations made, the Panel are recommended to have regard to the following Factors:

- Identified risk factors specific to the licensed premises
- The availability of transport to and from the premises

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

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

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS5 Prevent on-street consumption of alcohol
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS7 Maintain a safe capacity
- MS8 Prevent noise nuisance from the premises
- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

### **Conclusion**

- 4.6 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 4.7 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 4.8 Having regard to the representations, the Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to:
    - i. the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate, and
    - ii. any mandatory conditions that must be included in the licence;
  - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
  - c) To refuse to specify the person proposed in the application as the designated premises supervisor;
  - d) To reject the application.
- 4.9 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 4.10 All licensing determinations should be considered on the individual merits of the application.
- 4.11 The Panel’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.

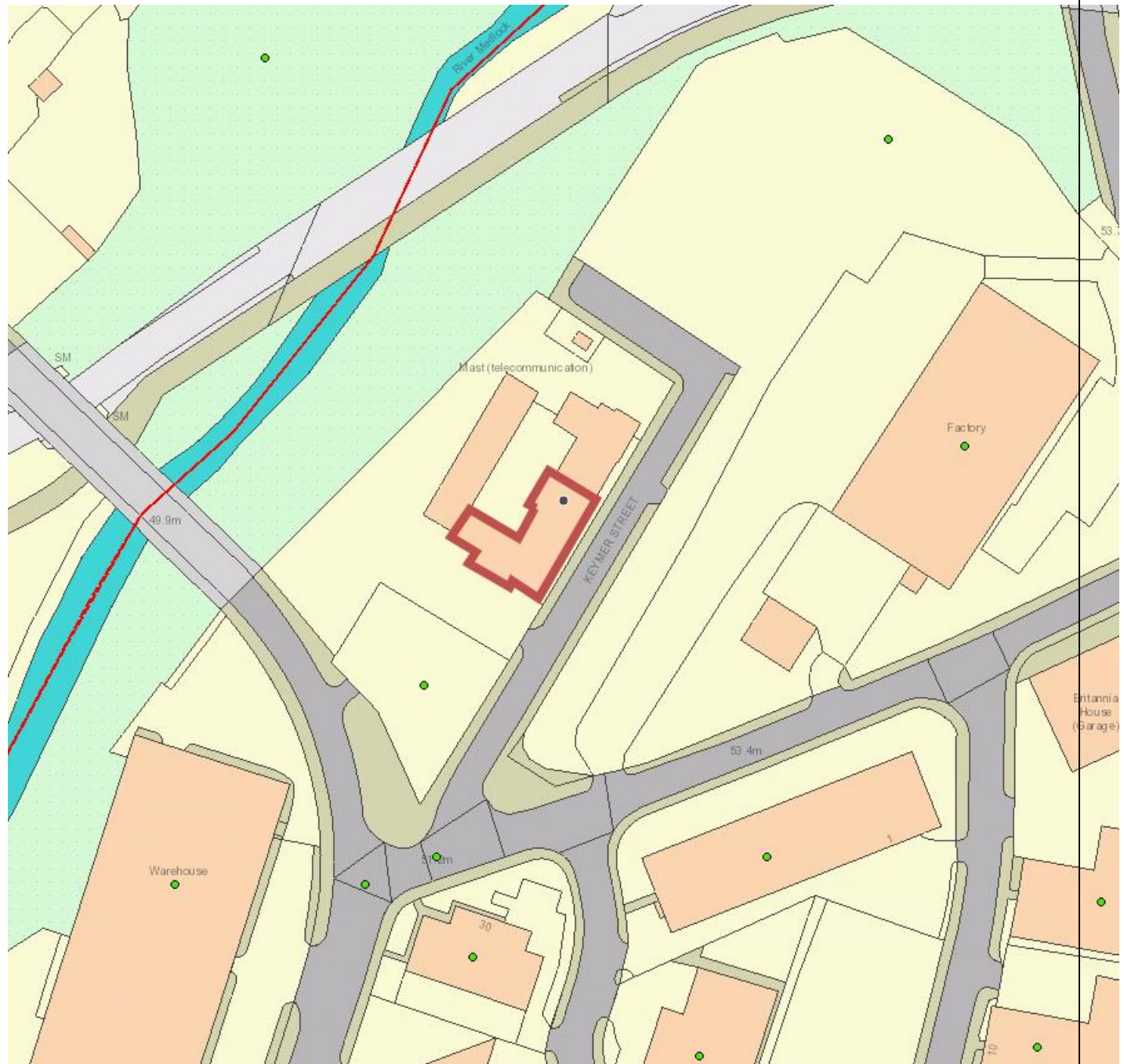
- 4.12 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 4.13 The Panel is asked to determine the application.



Kids Palace Ltd  
3 Keymer Street, Manchester, M11 3FY

Premises Licensing  
Manchester City Council

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Survey100019568.



<b>PREMISE NAME:</b>	Kids Palace Ltd
<b>PREMISE ADDRESS:</b>	3 Keymer Street, Manchester, M11 3FY
<b>WARD:</b>	Ancoats and Beswick
<b>HEARING DATE:</b>	20/05/2019

**Application for a premises licence to be granted under the Licensing Act 2003****PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

**We KIDS PALACE 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 <b>KIDS PALACE LTD PART OF OLD PRIMARY SCHOOL 6 KEYMER STREET OFF CAMBRIAN STREET BESWICK</b>			
<b>Post town</b>	<b>MANCHESTER</b>	<b>Postcode</b>	<b>M11 3FY</b>

Telephone number at premises (if any)	<b>0161 278 8944</b>
Non-domestic rateable value of premises	<b>£7700</b>

**Part 2 - Applicant details**

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

- |  |   |
|--|---|
| a) an individual or individuals*                   | <input type="checkbox"/> please complete section (A)            |
| b) a person other than an individual*              |   |
| i a limited company/limited liability partnership  | <input checked="" type="checkbox"/> please complete section (B) |
| ii a partnership (other than limited liability)    | <input type="checkbox"/> please complete section (B)            |
| iii a sole trader or 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 (c 14) 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)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

**SECOND INDIVIDUAL APPLICANT** (if applicable)



Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes <input type="checkbox"/>	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
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 KIDS PALACE LTD
Address REG ADRS: APT 3952, CHYNOWETH HOUSE TRURO TR4 8UN
Registered number (where applicable) 09243176
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY

Telenhonenumber(ifany) <div style="background-color: black; width: 100px; height: 15px;"></div>
E-mailaddress(optional) <div style="background-color: black; width: 250px; height: 15px;"></div>

**Part3OperatingSchedule**

Whendoyouwantthepremiseslicencetostart?

DD		MM		YYYY			
0	5	0	3	2	0	1	9

Ifyouwishthelicencetobevalidonlyforalimitedperiod,whendoyouw  
antittoend?

DD		MM		YYYY			

Pleasegiveageneraldescriptionofthepremises(pleasereadguidancenote1)

THIS BUILDING WILL BE UED AS COMMUNITY CENTER WHERE PEOPLEFROM OUR  
COMMUNITY WILL BE GATHERING. WE WILL BE SELLING ALCOHOL TO THEM.

WE ALREADY HAVE A SUPPLEMENTARY SCHOOL FOR THE CHILDREN OF OUR  
COMMUNITY.

If5,000ormorepeopleareexpectedtoattendthepremisesatanyonetime,pleasesta  
tethenumberexpectedtoattend.

Whatlicensableactivitiesdoyouintendtocarryonfromthepremises?

(pleaseseesections1and14andSchedules1and2totheLicensingAct2003)

Provisionofregulatedentertainment (please read guidance note 2)

Pleasetickallthatapp  
ly

- |  |                                     |
|--|-------------------------------------|
| a) plays(iftickingyes,fillinboxA)  | <input type="checkbox"/>            |
| b) films(iftickingyes,fillinboxB)  | <input type="checkbox"/>            |
| c) indoorsportingevents(iftickingyes,fillinboxC)   | <input type="checkbox"/>            |
| d) boxingorwrestlingentertainment(iftickingyes,fillinboxD)                                   | <input type="checkbox"/>            |
| e) livemusic(iftickingyes,fillinboxE)  | <input type="checkbox"/>            |
| f) recordedmusic(iftickingyes,fillinboxF)  | <input checked="" type="checkbox"/> |
| g) performancesofdance(iftickingyes,fillinboxG)  | <input checked="" type="checkbox"/> |
| h) anythingofasimilardescriptiontothatfallingwithin(e),(f)or(g)<br>(iftickingyes,fillinboxH) | <input checked="" type="checkbox"/> |

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



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



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

A

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

**B**

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

C

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

**D**

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

**E**

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



**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b><u>Please give further detail here</u></b> (please read guidance note 4) WE WILL PLAY RECORDED MUSIC DURING THE SOCIAL GATHERINGS, BIRTHDAY PARTIES AND BBQS; WHICH WILL USUALLY START FROM 3PM.		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Nonstandard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
	15:00 pm	05:00 am			
Sat					
	15:00 pm	05:00 am			
Sun					
	15:00 pm	05:00 am			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b><u>Please give further detail here</u></b> (please read guidance note 4) WE WILL INVITE PEOPLE TO PERFORM DANSE DURING THE SOCIAL GATHERING		
Mon					
Tue			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5) AS PER BOOKING		
Wed			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri					
	15:00 pm	05:00 am			
Sat					
	15:00 pm	05:00 am			
Sun					
	15:00 pm	05:00 am			

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing WE WILL HIRE THE CENTER /HALL TO COMMUNITY PEOPLE FOR BIRTHDAY PARTIES, SOCIAL GATHERING/BBQs AND MEETING		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue			<b><u>Please give further detail here</u></b> (please read guidance note 4) WE WILL PLAY RECORDED MUSIC DURING THE EVENTS FOR PEOPLE WILL BOOK FOR.		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri					
	15:00 pm	05:00 am			
Sat			<b><u>Nonstandard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
	15:00 pm	05:00 am			
Sun	10:00 am	05:00 am			




**I**

<b>Latenightrefreshment Standarddaysandtimings (pleasereadguidancenote 7)</b>			<b>Willtheprovisionoflatenightrefreshmenttakepl aceindoorsoroutdoorsorboth– pleasetick(pleasereadguidancenote3)</b>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b><u>Pleasegivefurtherdetailshere</u></b> (pleasereadguidancenote4) WE INTEND TO SERVE AND SELL ALCOHOL DURING OUR EVENTS, SOCIAL GATHERINGS I.E. BIRTHDAYS PARTIES, BBQs		
Mon					
Tue					
			<b><u>Stateanyseasonalvariationsforthevisionoflatenightrefreshment(</u></b> <b><u>pleasereadguidancenote5)</u></b>		
Wed					
Thur					
			<b><u>Nonstandardtimings. Whereyouintendtousethepremisesforthe prov isionoflatenightrefreshmentatdifferenttimes, tothoselistedinthe colu mn on the left, please list</u></b> (pleasereadguidancenote6)		
Fri					
	11:00 pm	05:00 am			
Sat					
	11:00 pm	05:00 am			
Sun					
	11:00 pm	05:00 am			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b><u>Will the supply of alcohol be for consumption – please tick</u></b> (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	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
	15:00 pm	05:00 am	<b><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></b> (please read guidance note 6) AS PER BOOKING; DURING EVENTS.		
Sat					
	15:00 pm	05:00 am			
Sun					
	15:00 pm	05:00 am			

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):

<b>Name</b> DJOUENI EDWIGE STEPHANIE KOULAOUINHI
<b>Date of birth</b> 
<b>Address</b> 
<b>Postcode</b> 
<b>Personal licence number (if known)</b> PA2551
<b>Issuing licensing authority (if known)</b> ROCHDALE BOROUGH COUNCIL

**K**

Please highlight any adult entertainment services, activities, other entertainment 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**

<b>Hours premises are open to the public</b> <b>Standard days and timings</b> (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5) WE OPEN THE CENTER FROM 10:00AM TO 14:30 MON-FRIDAY ( BUT NOT ALL THE TIME, IT VARIES)
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Nonstandard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 6)  WE PROVIDE SUPPLEMENTARY SCHOOL TO CHILDREN OF OUR COMMUNITY FROM 10:00AM TO 14:30.  WE WOULD LIKE TO HIRE THE CENTER FROM FRIDAY EVENINGS AND WOULD LIKE TO SERVE LATE NIGHT REFRESHMENT TO THE PEOPLE OF OUR COMMUNITY.
Mon	10:00 am		
		14:30 pm	
Tue	10:00 am		
		14:30 pm	
Wed	10:00 am		
		14:30 pm	
Thur	10:00 am		
		14:30 pm	
Fri	10:00 am	05:00 am	
Sat	10:00 am	05:00 am	
Sun	10:00 am	05:00 am	

## 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)**

Prevention of crime and disorder  
Public safety  
Prevention of public nuisance  
Protection of children from harm

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

We have security and CCTV in place. We will report anything suspicious to the police. We will advise, those who are drunk, to go home via taxi or via a person legible to drive that is not drunk. Any anti social behaviour will also be reported to the police

**c) Public safety**

We will make sure the place is not packed. We will go through the fire procedure with the guests. Report any concern to the fire services. Medical attention will seek in case of someone injure themselves.

**d) The prevention of public nuisance**

The place is isolated from any direct neighbour. We will make sure the place and Streets around are free of any litter. All rubbish will be removed. Premises are non-smoking.

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

Parents who visit the center will be asked to look after their children during the parties but where alcohol is sold or served children will not be allowed. They will be allocated to a room. They will be supervised by adults at all times. We will involve the local authorities in case of allegation of abuse.

**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 or my share code issued by the Home Office online right to work checking service (please read note 15). ☒

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

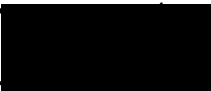
**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4—Signatures (please read guidance note 11)**

**Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.**

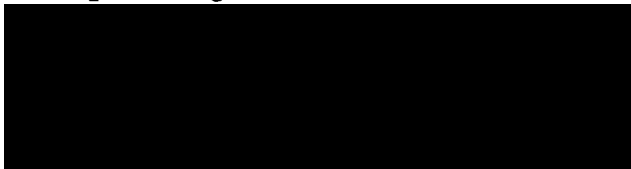

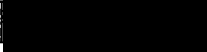
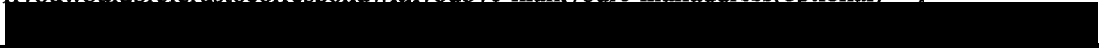
<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK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



	check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	see attached form.
Capacity	<i>Director</i>

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
			
Post town		Postcode	
Telephone number (if any)			
If you would prefer to correspond with you by e-mail, your e-mail address (optional)			
			

**Notes for Guidance**

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## GREATER MANCHESTER POLICE - REPRESENTATION

### About You

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

### About the Premises

Application Reference No.	<b>LPA 226977</b>
Name of the Premises	<b>Kids Palace Ltd</b>
Address of the premises including postcode	3 Keymer Street, Manchester M11 3FY

### 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 hardly anything in terms of enforceable conditions which show how the 4 Licensing Objectives will be upheld.

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

Also the hours applied for are excessive for a premises that is called Kids Palace and GMP are at a loss as to why anyone would apply for such hours for a premises which is clearly aimed at children.

The likely effect of the grant of the Premises Licence with such a scant operating schedule at such excessive hours is that all 4 of the Licensing Objectives will be undermined.

We therefore ask that this application is refused.



**MANCHESTER  
CITY COUNCIL**

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

Name	Gemma Hunt
Job Title	Licensing & Out of Hours Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	gemma.hunt@manchester.gov.uk
Telephone Number	0161 227 3147

**Premise Details**

Application Ref No	REF 226977LD2
Name of Premises	Kids Palace Ltd
Address	3 Keymer Street, Manchester, M11 3FY

**Representation**

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

The Licensing & Out of Hours Team (LOOH) have assessed the application taking into account the hours & activities applied for, the location of the premises & any impact the granting of the licence could have on the four licensing objectives.

The premises is located at a former primary school:



The premises advertises itself as 'Wise Steps Community Centre', please see below banner on the premises and attachment from the website relating to the services offered.



The applicant has applied for licensable activities to take place; including recorded music, late night refreshment & alcohol sales for on & off the premises on Friday's to Sundays (Monday morning) from 3pm until 5am.

The applicant has stated the opening hours for the premises will be from 10am until 2:30pm Monday to Thursday and from 10am until 5am Friday to Sunday (Monday morning). No drinking up/ dispersal time has been included.

The premises is located approx. a 5 minute walk away from the Etihad Stadium. It has not been stated if the applicant intends to open match days, providing alcohol for on or off sales to patrons.

The applicant has stated that the premises is a 'supplementary school' and a gathering place for the community. The 5am closing time implies the premises to be used as a late night venue more akin with a nightclub rather than a community centre. As such the LOOH team have concerns relating to the protection of children from harm and how the applicant will manage a supplementary school come nightclub. For example the hours applied for indicate that the premises will finish licensable activities at 5am on Monday mornings and reopen as a school at 10am.

In the operating schedule little information has been provided to assure the LOOH team that the applicant has considered the risks involved with carrying out licensable activities.

In particular box e) The Protection of Children from Harm of page M states: '.... but where alcohol is sold or served children will not be allowed. They will be allocated a room. They will be supervised by adults at all times'. This identifies that the applicant is likely not aware of the laws/ time restrictions relating to children on licensed premises and adds further concerns to how the children will be monitored and who will be doing the monitoring.

Box e) then goes on to say: 'We will involve the local authorities in case of allegation of abuse'. The LOOH team would expect that there is no risk that children should be abused on the premises.

The other conditions offered with sections b, c & d are duplications of existing law, unenforceable and fall far short of what the LOOH team would expect for a licence of this nature.

The Licensing & Out of Hours team request that the application is refused.

Recommendation:

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)**

<b>ABOUT YOU</b>		PLEASE NOTE: LICENSING OFFICERS, LICENSING COMMITTEE MEMBERS AND THE APPLICANT CAN VIEW THE INFORMATION PROVIDED ON THIS FORM
<b>Your first name (required)</b>	<b>Your last name (required)</b>	
Allan	Rawcliffe	
<b>Your address including postcode (required)</b>		
Trading Standards Service 1 Hammerstone Road Manchester M18 8EQ		
<b>Contact email address</b>	<b>Contact phone no</b>	
a.rawcliffe@manchester.gov.uk	0161 234 1547	
<b>Your signature</b> (I hereby declare the information I have provided on and with this form is correct to the best of my knowledge and belief)		

<b>ABOUT THE PREMISES</b>
<b>Application Ref No. (if known):</b>
<b>Name of the Premises about which you would like to make a representation:</b>
Kids Palace Ltd
<b>Address of the Premises (including postcode if known):</b>
Part of Old Primary School 6 Cambrian Street Manchester M11 3FY

<b>YOUR REPRESENTATION</b>
<b>Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)</b>
<p>Trading standards feels there is a severe lack of detail in the application and is of a very poor standard, the applicant appears not fully aware of their responsibilities.</p> <p>The applicant has failed to demonstrate in any detail, the steps they will take and what procedures they will implement to ensure the premises promote the Licensing Objective The protection of children from harm.</p> <p>There is no mention of a challenge 21 or 25 policy, which is widely used and accepted throughout the trade as a vital tool to help ensure minors are unable to purchase alcohol. As a responsible authority, we would expect the applicant to give a comprehensive list of steps as to how they will ensure the requirements of the challenge policy are met.</p> <p>Staff training has not been mentioned on the application, there is no indication of exactly what the training would be how this would be carried out, how often it would be repeated, recorded and monitored, to ensure</p>

minors are not served alcohol.

In the application signage regarding the sale of alcohol to minors has not been included, prominent signage at the point of sale indicating it is an offence to buy or attempt to buy alcohol for a person under 18 would be required.

The application also fails to mention other robust procedures which are accepted as good practice such as staff training and the keeping of documented records.

Therefore trading standards would like the licence to be refused.

**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.)



From: Fraser Swift <f.swift@manchester.gov.uk>

Date: Wed, 17 Apr 2019 at 11:26

Subject: Re: LPA226977 Premises Licence (new): Kids Palace Ltd, 3 Keymer Street, Manchester, M11 3FY, (Ancoats and Beswick ward) – APPLICATION RESTARTED

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

Application Type: Premises Licence (new)

Premises: Kids Palace Ltd, 3 Keymer Street, Manchester, M11 3FY

This is an objection to the grant of this application on behalf of the licensing authority, in its capacity as a responsible authority.

I have considered this application having regard to the Licensing Act 2003, the section 182 Guidance, and Manchester City Council's current Statement of Licensing Policy 2016-21.

Paragraphs 8.41 – 8.49 of the s182 Guidance and Section 7 of the Council's Licensing Policy sets out that applicants are expected to take into account relevant to the individual characteristics of the premises and locality when preparing their operating schedule and applicants are encouraged to identify relevant factors through risk assessment of the local area of the premises before making the application. There is no suggestion that this has been done in respect of this application.

Section 8 of the Licensing Policy sets out a range of standards identified by the Council that is expected of licensed premises in Manchester. The applicant has not addressed these standards with respect to their premises and there is no evidence of any consideration (e.g. by way of risk assessment) of their premises relative to the standards or explanation for this omission, as recommended (8.3 of the Policy).

Applicants are expected to consider and propose all standards they regard as appropriate to promote the licensing objectives with respect to the individual circumstances of their application.

I consider the following Local Factors from Section 7 of the Policy to be relevant to this application:

- Identified risk factors specific to the licensed premises
- The availability of transport to and from the premises

The premises is in a remote location with industrial units on the surrounding roads. The premises describes itself as a 'community center (sic)' but there is no details of the nature of events it is intended to hold. The lateness of the hours proposed are typically high risk. Therefore, there is a wide remit in considering what issues are likely to be relevant to the operation of this venue.

Taking the above into account, in my opinion the following Standards from Section 8 of the Policy are relevant and would need to be addressed to ensure the promotion of the licensing objectives:

MS1 Implement effective security measures at the premises

MS2 Effective general management of the premises

MS3 Responsible promotion and sale of alcohol

MS5 Prevent on-street consumption of alcohol

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

MS7 Maintain a safe capacity

MS8 Prevent noise nuisance from the premises

MS9 Effectively manage exterior spaces (eg. 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

Having regard to this premises and the proposed licensable activities applied for, it is submitted that there is a likely risk of crime and disorder; public nuisance; risk to public safety; and harm to children as a result of the Local Factors or Standards that I have identified not being adequately considered by the applicant and addressed through the proposal of appropriate steps in the operating schedule. The steps proposed give no confidence whatsoever in the prospective operation of the venue or the ability of the applicant to operate it,

Further, the applicant's failure to consider and identify relevant risks in respect of their premises also gives rise to concerns over their ability to operate a licensed premises in a manner that will promote the licensing objectives.

Therefore, for the reasons above, it is my opinion that granting this application would undermine the licensing objectives.

--

Fraser Swift

Principal Licensing Officer

Planning, Building Control and Licensing

Strategic Development Directorate

Tel: 0161 234 1176

Internal: 800 31176

Mobile: 07814 134202

Email: [f.swift@manchester.gov.uk](mailto:f.swift@manchester.gov.uk)

Postal Address: Premises Licensing, Manchester City Council, Level 1 Town Hall Extension, Albert Square, PO Box 532, M60 2LA (SatNav: M2 5DB)

Councillor Emma V Taylor (cldr.e.taylor@manchester.gov.uk)

1 Apr 2019, 19:27 (13 hours ago)

to me, Councillor, Councillor, Amanda, Peter

Dear Licensing,

I would like to submit an objection to the above licensing application.

The reasons why I am objecting to this application are because of the following: provision of regulated entertainment and supply of alcohol for consumption on and off the premises Fri to Sun 3pm to 5am.

I have concerns that this location for this premises is not suitable for the above, and I would urge the Licensing panel not to approve this application.

As Licensing may be aware, 3 Keymer Street is in the middle of Edwin Road industrial estate, adjacent to the Etihad Stadium. There are no other premises within close proximity of this site that have similar licenses like the one which has been applied for. This area is inappropriate to be considered as an area to start allowing premises to provide alcohol on and off the premises at unsocialable hours.

Additionally, the lack of detail in the application is concerning. As a local Councillor I have no understanding of what this premises would be used for, and am therefore concerned at what impact it would have on the local community.

I also have concerns about potential antisocial behaviour, especially if alcohol were to be sold until 5am Fri to Sun. This would have a negative impact on the local area.

Another concern is around the applicant's premises name 'Kids Palace'. It is not clear whether this premises is primarily for children or for adults and therefore I have concerns over the safeguarding of children where alcohol is sold until 5am.

I have copied in my ward colleagues into this email, along with Amanda Salmon (Neighbourhood Team Lead for Ancoats & Beswick, MCC) and PC Pete Hales, NBO for the Beswick area so they are aware of my objections.

Best wishes,

Councillor Emma Taylor

Labour member for Ancoats & Beswick

Assistant Executive Member

Manchester City Council

## Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> <li>1. We have security and CCTV in place</li> <li>2. We will report anything suspicious to the police.</li> <li>3. We will advise those who are drunk, to go home via taxi or via a person legible to drive that is not drunk.</li> <li>4. Any anti-social behaviour will also be reported to the police</li> <li>5. We will make sure the place is not packed</li> <li>6. We will go through the fire procedure with the guests Report any concern to the fire services Medical attention will seeking case of someone injure themselves</li> <li>7. The place is isolated from any direct neighbour. We will make sure the place and Streets around are free of any litter All rubbish will be removed. Premises are non-smoking</li> <li>8. Parents who visit the centre will be asked to look after their children during the parties but where alcohol is sold or served children will not be allowed. They will be allocated to a room.</li> <li>9. They will be supervised by adults at all times.</li> <li>10. We will involve the local authorities in case of allegation of abuse</li> </ol>	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
None	N/A	GMP
None	N/A	Licensing & Out of Hours
None	N/A	Trading Standards
None	N/A	Licensing Authority
None	N/A	Ward Councillor

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

Document is Restricted

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 20 May 2019

**Subject:** Vibes Bar and Restaurant, 414-416 Wilbraham Road, Manchester, M21 0SD - App ref: Premises Licence (new) 228344

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

**Summary**

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

**Recommendations**

That the Panel determine the application.

**Wards Affected:**

Chorlton

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

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

Equal Opportunities Policy  
Risk Management  
Legal Considerations

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### **Financial Consequences – Revenue**

None

### **Financial Consequences – Capital**

None

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### **Contact Officers:**

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

Name: Chloe Tomlinson  
Position: Technical Licensing Officer  
Telephone: 0161 234 4521  
E-mail: chloe.tomlinson@manchester.gov.uk

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

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

## 1. **Introduction**

- 1.1 On 03/04/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Vibes Bar and Restaurant, 414-416 Wilbraham Road, Manchester, M21 0SD in the Chorlton 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 Harold McKenzie.
- 2.3 The description of the premises by the applicant is 'double fronted ground floor bar unit with storage in basement. It is largely open plan on the ground floor with a kitchen area and WCs to the rear of the building. The basement has several rooms which provides adequate storage.'
- 2.4 The proposed designated premises supervisor is Harold McKenzie
- 2.5 **The licensable activities applied for:**

### **Proposed hours and licensable activities:**

Provision of late night refreshment:  
 Sun to Thurs 11pm to midnight  
 Fri to Sat 11pm to 2am

The supply of alcohol for consumption on the premises only:  
 Sun to Thurs 10am to midnight  
 Fri to Sat 10am to 2am

Opening hours:  
 Sun to Thurs 10am to midnight

Fri to Sat 10am to 2am

- 2.5.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 2.5.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.
- 2.6 **Activities unsuitable for children**
- 2.6.1 The applicant has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
- 2.7 **Steps to promote the licensing objectives**
- 2.7.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.
- 2.7.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 4**.

### **3. Relevant Representations**

- 3.1 A total of 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:

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

#### Other Persons:

- South Neighbourhood Team;
- Resident.

### 3.2 Summary of the representations:

Party	Grounds of representation	Recommends
<b>GMP</b>	The conditions offered within the Operating Schedule should be worded more robustly to ensure that the 4 Licensing Objectives are properly upheld.	Grant with conditions  <b>(agreed with applicant)</b>
<b>Licensing and Out of Hours Compliance</b>	There are a number of residential properties in close proximity to the premises including flats directly above. Noise disturbances could arise from customers outside the premises and also from music within the premises. Reduced hours and additional conditions are therefore proposed to reduce the potential for public nuisance.	Grant with conditions and reduced hours  <b>(agreed with applicant)</b>
<b>Trading Standards</b>	The conditions offered within the Operating Schedule should be worded more robustly to ensure that the Licensing Objective of the protection of children from harm is properly upheld.	Grant with conditions
<b>South Neighbourhood Team</b>	The supply of alcohol until 2am on Fridays and Saturdays could lead to public nuisance given the residential nature of the surrounding area. Reduced hours in line with the bar previously open at this location are therefore proposed.	Grant with reduced hours  <b>(agreed with applicant)</b>
<b>Resident (x1)</b>	Concerns that noise from both music and people could lead to public nuisance unless additional steps are taken to prevent this.	Grant with conditions

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

3.4 Agreements on conditions have been reached with GMP, LOOH and the South Neighbourhood Team.

## 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

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

This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be appropriate to apply in every situation to every premises, and applicants are not obliged to include all standards in their operating schedule. The degree to which standards would be appropriate is expected to be proportionate to the

risk posed against the promotion of the licensing objectives having regard to the individual circumstances of the premises. The standards are not exhaustive and the licensing authority will have regard to any relevant issues raised in any representation that may fall outside them.

MS2 Effective general management of the premises

MS3 Responsible promotion and sale of alcohol

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

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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414-416 Wilbraham Road, Manchester, M21 0SD

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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 Mr Harold McKenzie

*(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			
414-416 Wilbraham Road Chorlton cum Hardy			
Post town	Manchester	Postcode	M21 0SD
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£33,750.00	

### Part 2 - Applicant details

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

- |    |  |                                     |                             |
|----|--|-------------------------------------|-----------------------------|
| a) | an individual or individuals *                       | <input 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 McKenzie			First names Harold		
Date of birth: <input type="text"/>		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes			
Nationality: British					
Current residential address if different from premises address		<input type="text"/>			
Post town	<input type="text"/>	Postcode	<input type="text"/>		
Daytime contact telephone number		<input type="text"/>			
E-mail address (optional)		<input type="text"/>			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					
N/A					

**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 N/A			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
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 N/A
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)

Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
2	9	03
2	0	19

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)

Double fronted ground floor bar unit with storage in basement.

It is largely open plan on the ground floor with a kitchen area and WCs to the rear of the building.

The basement has several rooms which provides adequate storage.

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

--

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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



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

x

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

x

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

A

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

**B**

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

C

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

**D**

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

**E**

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

**F**

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

## G

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



## H

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

## I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)</b>		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)			
Mon	1000	0000				
Tue	1000	0000				
Wed	1000	0000				
			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)			
Thur	1000	0000				
			<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 6)			
Fri	10000	0200				
Sat	1000	0200				
Sun	1000	000				

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	1000	0000			
Tue	1000	0000			
Wed	1000	0000			
Thur	1000	0000	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Fri	1000	0200			
Sat	1000	0200			
Sun	1000	0000			

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 Harold McKenzie	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

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

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b><u>State any seasonal variations</u></b> (please read guidance note 5)
Day	Start	Finish	<b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 6)
Mon	1000	0000	
Tue	1000	0000	
Wed	1000	0000	
Thur	1000	0000	
Fri	1000	0200	
Sat	1000	0200	
Sun	1000	0000	

## 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)**

Staff to be trained in order to run the business responsibly towards the sale of alcohol/ late night refreshment.  
Staff to be aware of licensing law before being allowed to serve any alcohol  
All training performed to be documented in writing and records kept.

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

Staff trained to be vigilant and observant at all times.  
Alarm fitted in order to secure the premises when empty/ closed.  
Emergency exits to be alarmed when premises is open to the public in order for staff to be notified if there is unauthorised opening.  
Cellar / private area to be kept locked/ secured when the public is on premises.  
CCTV will be installed to cover all areas inside and out which the public have access to and recording.  
Staff will be in uniform in order for them to be easily recognised.  
Alternative to glass will be considered to prevent this being used as a weapon.  
Staff to be trained to deal with conflicts and the measures to take until the police gets to the premises.  
A zero tolerance to drugs use and carrying of weapons on the premises will be enforced.  
An organised door policy will be in place in order to reduce the risk of excessive queue when entering or leaving the premises.  
Drinks promotions will not be done in a way to encourage excessive drinking.

**c) Public safety**

A thorough risk assessment will be done to highlight any potential risk to the public and correct measure taken to avoid this. Staff to be fully trained to recognise any such risks and report procedures.  
Staff to be fully trained in First Aid.  
Temperature/ Humidity level will be maintained to the comfort of customers.  
A glass/ bottle collection policy will be in place for both inside and outside the property.  
Spillages/ broken glasses will be cleaned up immediately to prevent slips and cuts.  
Bottle bins will be in a secure location away from customers.

**d) The prevention of public nuisance**

Noise management policy will be put in place to music/ noise coming from the premises.  
Notices will be displayed at exits car park advising customers/ staff to leave the premises quietly and quickly.  
Enough staff will be on shift at the end of the night to manage the closing of the premises.  
External lightings will be turned off after the premises is closed to the public.



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

Children under the age of 16 to be accompanied by an adult when on premises.  
 No child under 18 to be served alcohol.  
 Photo ID will be requested by staff if any one looks to be under the age of 25 in order to confirm they are over 18 years old.  
 No child under 18 will be employed.

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

- I have made or enclosed payment of the fee. x
- I have enclosed the plan of the premises. x
- I have sent copies of this application and the plan to responsible authorities and others where applicable. x
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. x
- I understand that I must now advertise my application. x
- I understand that if I do not comply with the above requirements my application will be rejected. x
- [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 or my share code issued by the Home Office online right to work checking service (please read note 15). x

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I</li> </ul>
--------------------	--

	<p>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).</p> <ul style="list-style-type: none"> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	Mr Harold McKenzie
Date	22/03/2019
Capacity	Aplicant

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		-	Postcode
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

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

Document is Restricted

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Premises Licensing &lt;premises.licensing@manchester.gov.uk&gt;

**Re: License application 414 Wilbraham Road**

1 message

**Jon G** [REDACTED]

8 April 2019 at 16:19

To: Premises Licensing &lt;premises.licensing@manchester.gov.uk&gt;

Cc: Premises Licensing &lt;premises.licensing@manchester.gov.uk&gt;

Please can you take my comments submitted below into consideration

**From:** [REDACTED] on behalf of Premises Licensing <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>

**Sent:** Monday, April 8, 2019 10:16:45 AM**To:** Jon G**Subject:** Re: License application [414 Wilbraham Road](#)

Good morning

Thank you for your email. Since you sent it, the consultation period for the application has been restarted - this means that any representations received beforehand will no longer be considered valid as they were received outside of the consultation period. Therefore, please could you forward your original email to us again in order for it to be considered valid?

Kind regards,  
Chloe

On Fri, 5 Apr 2019 at 23:44, Jon G [REDACTED] wrote:

Thank you for sending me this

As a local resident living [REDACTED] from the licensed premises with young children my primary concern is the prevention of public nuisance.

The premises has been licensed before and didn't cause me any issues but has the potential to do so.

In my experience noise has two forms - music and people. Noise from both should be controlled and eliminated to the rear of the premises by not allowing use of the rear yard. Use of the front canopy should be limited late night to minimise people noise and no music should be able to be heard outside at any time.

Thank you so much for taking my considerations into account.

From: Premises Licensing  
Sent: Friday, 29 March, 11:46  
Subject: Re: License application [414 Wilbraham Road](#)  
To: Jon G

Hi

Please find attached a copy of the application as requested,

Kind Regards

Ria Page

On Thu, 28 Mar 2019 at 21:31, Jon G [REDACTED] wrote:

I have seen that the above property has made an application for a premises license but I cannot find the details on the council website.

I live [REDACTED] so have concerns about the license application

Please could I have a copy of the application? Page 167



Premises Licensing &lt;premises.licensing@manchester.gov.uk&gt;

**Premises Licence (new) 228344/CT4: 414-416 Wilbraham Road, Manchester, M21 0SD (Chorlton ward)**

1 message

**Pete Whiteley** <[REDACTED]>

12 April 2019 at 16:10

To: Premises Licensing &lt;premises.licensing@manchester.gov.uk&gt;

Dear colleagues,

I would like to express reservations about this application in terms of public nuisance. The application is for the supply of alcohol until 2.00am on Fridays and Saturdays.

This seems late given the residential nature of the area behind the premises and either side. There are flats above the neighbouring properties and more flats have recently been completed at nearby [406 Wilbraham Road](#). Behind this section of Wilbraham road there is the residential street of Silverdale road.

Having 2.00am as a closing time for the outskirts of Chorlton district centre seems a bit late and excessive given the neighbouring residential properties who would be disturbed by people leaving the premises at this time.

Regards

Pete Whiteley ([REDACTED])  
Neighbourhood Manager  
South Neighbourhood Team  
Neighbourhoods Directorate  
Manchester City Council  
Etrop Court,  
Rowlandsway  
Manchester  
M22 5RG

Tel: [REDACTED]

Mobile: [REDACTED]

Web: [www.manchester.gov.uk](http://www.manchester.gov.uk);

Follow us on Twitter: @MCC\_Burnage; @MCCChorlton; @MCCDidsbury; @MCCFallowfield; @MCCWhalleyRange; @MCCWithington; @MCCWythenshawe

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- Access services 24 hours a day with no need to queue;
- Track the progress of your enquiry; &
- Access information about services in your area


**MANCHESTER  
CITY COUNCIL**
**Licensing & Out of Hours Compliance Team - Representation**

Name	Mitchell Ward
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	mitchell.ward@manchester.gov.uk
Telephone Number	[REDACTED]

**Premise Details**

Application Ref No	228344
Name of Premises	Island Vibe
Address	414-416 Wilbraham Road, Manchester, M21 0SD

**Representation**

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

The Licensing and Out of Hours Team (LOOHT) have assessed the likely impact of the late night premises opening at 414 – 416 Wilbraham Road, Chorlton, Manchester, M21 0SD 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.

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.

The premises is situated on Wilbraham Road and is part of a busy area within the Chorlton ward. This is a popular area of Chorlton with a good mix of offices, cafes, shops, takeaways, licensed premises and residential properties.

Above the premises are flats which are currently occupied. 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 Buckingham Road, there are a number of semi-detached residential properties. To the right hand side facing the premises on Egerton Road North, there are a large number of mixed residential properties. On the opposite side of Wilbraham Road there are also residential flats above the commercial premises and also situated on the opposite side of the road is Wilbraham St Ninians Church.

The application is for a new premises license for the following licensable activities:

**Late Night Refreshment:**

Sunday to Thursday 10:00 – 00:00

Friday to Saturday 10:00 – 02:00

**Supply of Alcohol:**

Sunday to Thursday 10:00 – 00:00

Friday to Saturday 10:00 – 02:00

**Hours open to the Public**

Sunday to Thursday 10:00 – 00:00

Friday to Saturday 10:00 – 02:00

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 02:00 hours, within such close proximity to residential properties will lead to potential noise disturbances, which would significantly undermine the public nuisance objective.

LOOHT also have concerns relating to the noise emanating from the premises. Given the relatively close proximity of numerous residential properties there is a considerable risk that noise nuisance may arise from the external area by way of people noise and also from the premises itself by way of music noise.

Following discussions with the applicant they appear to be committed to fulfilling the license objective of the prevention of public nuisance, however were in agreement that further measures could be implemented in respect of the control of noise from the premises and also patrons when smoking outside the premises. We therefore recommend that in order to prevent the problems described above the following conditions should be attached to the Premises Licence to ensure the licensing objectives are upheld:

- No external sound system shall be used at the premises
- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
- All windows and doors to be kept closed except for access and egress whilst regulated entertainment is taking place.
- Staff shall conduct regular external perimeter checks to ensure that music noise is not causing a nuisance to nearby residents.
- A member of staff shall monitor customers smoking outside the premises on a regular basis and ensure noise is kept to a minimum.
- No alcohol to be permitted in the external area after 23:00.

Furthermore given our concerns outlined above we would recommend the timings for licensable activities be reduced:

**Late Night Refreshment:**

Sunday to Thursday 10:00 – 00:00

Friday to Saturday 10:00 – 01:30

**Supply of Alcohol:**

Sunday to Thursday 10:00 – 00:00

Friday to Saturday 10:00 – 01:30

**Hours open to the Public**

Sunday to Thursday 10:00 – 00:00

Friday to Saturday 10:00 – 01:30

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

Recommendation: Approve with Conditions (Outlined Above)

# GREATER MANCHESTER POLICE - REPRESENTATION

## About You

Name	<b>PC Alan Isherwood</b>
Address including postcode	1 <sup>st</sup> Floor Manchester Town Hall Extension Lloyd Street Manchester
Contact Email Address	alan.isherwood@gmp.police.uk
Contact Telephone Number	

## About the Premises

Application Reference No.	<b>LPA 228344</b>
Name of the Premises	<b>Vibes</b>
Address of the premises including postcode	<b>414-416 Wilbraham Road, Manchester M21 0SD</b>

## 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 Prevention of Crime and Disorder, the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.

The applicant has offered conditions within the Operating Schedule but they need to be worded more robustly to best demonstrate how the 4 Licensing Objectives will be upheld. If this licence was granted GMP would ask that the following conditions are attached to ensure that the 4 Licensing Objectives are upheld, as we are concerned that without these extra conditions issues are likely to arise which undermine the objectives.

**The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.**

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

- (a) all crimes reported to the venue, or by the venue to the Police**
- (b) all ejections of patrons**
- (c) any incidents of disorder**
- (d) any faults in the CCTV system**
- (e) any visit by a relevant authority or emergency service**
- (f) All refusals of sales of alcohol**

**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 identification to enable to verify their identity against the notice.**



The premises shall display prominent signage indicating at any point of sale, the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.

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 and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals.

On Friday and Saturday SIA registered door staff shall be employed at the premises at a ratio of 1:100 from 10pm until 30 minutes after closing, to assist with the orderly dispersal of customers. When employed door staff shall wear hi visibility armbands.

**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)**

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

<b>ABOUT THE PREMISES</b>
<b>Application Ref No. (if known):</b>
LAK LAK228344
<b>Name of the Premises about which you would like to make a representation:</b>
Vibes Bar
<b>Address of the Premises (including postcode if known):</b>
414-416 Wilbraham Road, Manchester. M210SD

<b>YOUR REPRESENTATION</b>
<b>Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)</b>
<p>Although the application mentions Challenge 25 and Children under 16 need to be accompanied by an adult Trading Standards Service feels that the operating schedule is not detailed enough with regards to how the premises is going to promote the Licensing Objective, The Protection of Children from Harm.</p> <p>Therefore we would like the following conditions attached :</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.

A log shall be kept at the premises and record all refused sales of alcohol for the reasons that the person(s) is, or appear to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.

In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice.

Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 12 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.)

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

Document is Restricted

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## Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> <li>1. Staff to be trained in order to run the business responsibly towards the sale of alcohol/late night refreshment</li> <li>2. Staff to be aware of licensing law before being allowed to serve any alcohol</li> <li>3. All training performed to be documented in writing and records kept</li> <li>4. Staff trained to be vigilant and observant at all times</li> <li>5. Alarm fitted in order to secure the premises when empty/closed</li> <li>6. Emergency exits to be alarmed when premises is open to the public in order for staff to be notified if there is unauthorised opening</li> <li>7. Cellar/private area to be kept locked/secured when the public is on the premises</li> <li>8. CCTV will be installed to cover all areas inside and out which the public have access to and recording</li> <li>9. Staff will be in uniform in order for them to be easily recognised</li> <li>10. Alternatives to glass will be considered to prevent this being used as a weapon</li> <li>11. Staff to be trained to deal with conflicts and the measures to take until police get to the premises</li> <li>12. A zero tolerance to drugs use and carrying of weapons on the premises will be enforced</li> <li>13. An organised door policy will be in place in order to reduce the risk of excessive queue when entering or leaving the premises</li> <li>14. Drinks promotions will not be done in a way to encourage excessive drinking</li> <li>15. A thorough risk assessment will be done to highlight any potential risk to the public and correct measures taken to avoid this. Staff to be fully trained to recognise any such risks and report procedures.</li> <li>16. Staff to be fully trained in First Aid.</li> <li>17. Temperature/humidity levels will be maintained to the comfort of customers.</li> <li>18. A glass/bottle collection policy will be in place for both inside and outside the property</li> <li>19. Spillages/broken glasses will be cleaned up immediately to prevent slips and cuts</li> <li>20. Bottle bins will be in a secure location away from customers</li> <li>21. Noise management policy will be put in place for music/noise</li> </ol>	N/A	Applicant

## Schedule of Licence Conditions

<p>coming from the premises</p> <p>22. Notices will be displayed at exits car park advising customers/staff to leave the premises quietly and quickly</p> <p>23. Enough staff will be on shift at the end of the night to manage the closing of the premises</p> <p>24. External lighting will be turned off after the premises is closed to the public</p> <p>25. Children under the age of 16 to be accompanied by an adult when on the premises</p> <p>26. No child under 18 to be served alcohol</p> <p>27. Photo ID will be requested by staff if anyone looks to be under the age of 25 in order to confirm they are over 18 years old</p> <p>28. No child under 18 will be employed</p>		
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
<p>29. Noise from music and people should be controlled and eliminated to the rear of the premises by not allowing use of the rear yard.</p> <p>30. Use of the front canopy should be limited late night to minimise people noise and no music should be able to be heard outside at any time.</p>	No	Resident
<p>Opening hours and hours for the supply of alcohol are to be limited to the following times:</p> <p>Sun to Thurs 10am to midnight</p> <p>Fri to Sat 10am 1.30am</p> <p>The provision of late night refreshment is to be limited to the following times:</p> <p>Sun to Thurs 11pm to midnight</p> <p>Fri to Sat 11pm 1.30am</p>	Yes	South Neighbourhood Team
<p>31. No external sound system shall be used at the premises</p> <p>32. 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>33. All windows and doors to be kept closed except for access and egress whilst regulated entertainment is taking place.</p> <p>34. Staff shall conduct regular external perimeter checks to ensure that music noise is not causing a nuisance to nearby residents.</p>	Yes	Licensing and Out of Hours



## Schedule of Licence Conditions

<p>35. A member of staff shall monitor customers smoking outside the premises on a regular basis and ensure noise is kept to a minimum.</p> <p>36. No alcohol to be permitted in the external area after 23:00.</p> <p>Opening hours and hours for the supply of alcohol are to be limited to the following times:</p> <p style="padding-left: 40px;">Sun to Thurs 10am to midnight</p> <p style="padding-left: 40px;">Fri to Sat 10am 1.30am</p> <p>The provision of late night refreshment is to be limited to the following times:</p> <p style="padding-left: 40px;">Sun to Thurs 11pm to midnight</p> <p style="padding-left: 40px;">Fri to Sat 11pm 1.30am</p>		
<p>37. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.</p> <p>38. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:</p> <ul style="list-style-type: none"> <li>(a) all crimes reported to the venue, or by the venue to the Police</li> <li>(b) all ejections of patrons</li> <li>(c) any incidents of disorder</li> <li>(d) any faults in the CCTV system</li> <li>(e) any visit by a relevant authority or emergency service</li> <li>(f) All refusals of sales of alcohol</li> </ul>	Yes	GMP

## Schedule of Licence Conditions

<p>39. 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 identification to enable to verify their identity against the notice.</p> <p>40. The premises shall display prominent signage indicating at any point of sale, the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.</p> <p>41. 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 and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals.</p> <p>42. On Friday and Saturday SIA registered door staff shall be employed at the premises at a ratio of 1:100 from 10pm until 30 minutes after closing, to assist with the orderly dispersal of customers. When employed door staff shall wear hi visibility armbands.</p>		
<p>43. 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>44. A log shall be kept at the premises and record all refused sales of alcohol for the reasons that the person(s) is, or appear to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.</p> <p>45. 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>46. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 12 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an</p>	No	Trading Standards

## Schedule of Licence Conditions

authorised officer of Manchester City Council.		
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## Manchester City Council

### Report for Resolution

**Report To:** Licensing Subcommittee Hearing Panel – 20/05/2019

**Subject:** Victoria Inn, 196 Burnage Lane, Manchester, M19 1FL –  
App ref: Premises Licence variation228341

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

#### Summary

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

#### Recommendations

That the Committee determine the application.

#### Wards Affected:

Burnage

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

A liveable and low carbon city: a destination of choice to live, visit and work.	An effective licensing system supports and enables growth and employment in our City with neighbourhoods that provide amenities suitable to the surrounding communities.
A connected city: world class infrastructure and connectivity to drive growth	

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

Equal Opportunities Policy  
Risk Management  
Legal Considerations

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### **Financial Consequences – Revenue**

None

### **Financial Consequences – Capital**

None

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### **Contact Officers:**

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

Name: Helen Howden  
Position: Technical Licensing Officer  
Telephone: 0161 234 4294  
E-mail: [premises.licensing@manchester.gov.uk](mailto: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  
Any further documentary submissions by any party to the hearing

## 1. **Introduction**

- 1.1 On 25/03/2019, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of Victoria Inn, 196 Burnage Lane, Manchester, M19 1FL in the Burnage ward of Manchester. A location map and photo of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

## 2. **Current Licence**

- 2.1 The premises licence holder is Punch Taverns Limited 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 change the hours on the premises licence as outlined below. The application also requests amendments to conditions, details of which are given below.

### **Amendment to hours and licensable activities:**

#### Provision of regulated entertainment (live music)

Current hours: Mon to Sat 11am to 11pm, Sun noon until 11pm

Proposed hours: Mon to Thurs 11am to 11.30pm, Fri and Sat 11am to midnight, Sun noon until 11.30pm

#### Provision of regulated entertainment (recorded music)

Current hours: Mon to Thurs 11am to 11pm, Fri and Sat 11am to midnight, Sun noon until 11pm

Proposed hours: Mon to Thurs 11am to 11.30pm, Fri and Sat unchanged (11am to midnight), Sun noon until 11.30pm

Provision of late night refreshment:

Current hours: Mon to Sat 11pm to 11.30pm, Sun not permitted

Proposed hours: Mon to Thurs 11pm to midnight, Fri and Sat 11am to 1am,  
Sun 11pm until midnight

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

Current hours: Mon to Thurs 11am to 11pm, Fri and Sat 11am to midnight,  
Sun noon until 10.30pm

Proposed hours: Mon to Thurs 11am to midnight, Fri and Sat 11am to 1am,  
Sun noon until midnight

*In addition the application requests removal of the restriction on Christmas Day which only permits sale of alcohol from noon to 3pm, and 7pm to 10.30pm*

Opening hours:

Current hours: Mon to Thurs 11am to 11.30pm, Fri and Sat 11am to half past midnight, Sun noon until 11.30pm

Proposed hours: Mon to Thurs 11am to half past midnight, Fri and Sat 11am to 1.30am, Sun noon until half past midnight

**Amendment to conditions:**

The application requests to:

Replace condition 6 Annex 2 with the following:

"Children are allowed on the premises when accompanied by a responsible adult until 9:00pm, unless they are finishing a table meal or attending a pre-booked private function when they will be allowed on the premises until the meal or function has finished". For information the existing condition 6 (to be removed) is "Persons under the age of 18 shall not be allowed on the premises, at any time that the premises are open to the public."

Remove condition 1 of annex 2:

For information, the condition requested to be removed is as follows –

The above time restrictions in relation to the hours for the sale of alcohol do not prohibit:

During the first twenty minutes after the above hours the consumption of the alcohol on the premises;

During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption ancillary to the meals;

Consumption of the alcohol on the premises by, or the taking or sale or supply of alcohol to any person residing in the licensed premises;

The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;

The sale of alcohol to a trader or club for the purposes of the trade or club;



The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

The taking of alcohol from the premises by a person residing there; or

The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

- 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 No additional steps, other than the amendments outlined at para 3.2 above, have been proposed by the applicant to promote the licensing objectives.

#### **4. Relevant Representations**

- 4.1 A total of 2 relevant representations were received in respect of the application (**Appendix 4**). 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:

- MCC Licensing and Out of Hours Compliance Team;

##### Other Persons:

- Residents (x1).

## 4.2 Summary of the representations:

Party	Grounds of representation	Recommends
<b>Licensing and Out of Hours Compliance</b>	<p>The representation comments on the proximity to residential premises, and gives information about complaints received from residents.</p> <p>Details are given of: observations carried out over a 6 month period in 2018; two action plans which have been drawn up for the premises; meetings and visits which have taken place; and breaches of the licence.</p> <p>The representation states: “The LOOHT have tried on many occasions to work with the premises licence holder and the DPS but they have failed to cooperate. Both action plans of 24th October 2018 and 2nd April 2019 now remain incomplete. “</p> <p>The representation concludes “there is little confidence that the Premises Licence Holder/DPS will effectively manage the dispersal of customers at later closing times. Patrons may congregate outside the premises later at night, talking loudly/ shouting and causing transient noise in a heavily residential area. As a consequence this would increase the risk of causing public nuisance to nearby residents.”</p>	Refuse
<b>Residents (x1)</b>	<p>This objector describes nuisance experienced from the premises as follows:</p> <p>“On a regular basis the level of noise coming from this establishment is unreasonable for a residential area. The noise is caused by loud music (both live and recorded), a heavy bass line and voices over microphones. The noise is worst at weekends, however has also affected us late into the night mid-week and on Sundays.”</p> <p>In addition: “We have had littering to the front yard of our property following customers leaving the premises, verbal and physical domestic disturbances between customers of the premises directly outside our home and drunk customers knocking on our door and requesting access to our property.”</p> <p>Damage to local property has also been</p>	Not stated

	<p>witnessed.</p> <p>The objector comments that increasing the hours at the premises is likely to increase these problems</p>	
--	---	--

4.3 No conditions have been proposed by the objectors.

4.4 No agreements have been reached with the objectors.

## **5. Key Policies and Considerations**

### **5.1 Legal Considerations**

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

### **5.2 New Information**

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

### **5.3 Hearsay Evidence**

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

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

5.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided for all parties involved in licensing. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.

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

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

## 5.5 **Manchester Statement of Licensing Policy**

- 5.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' its statement of licensing policy.
- 5.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.
- 5.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.
- 5.5.4 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy:

### ***Section 6: What we aim to encourage***

This section identifies certain types of venues and initiatives the licensing authority aims to encourage in order to promote an inclusive evening and night-time economy not simply focused on the consumption of alcohol. We aim to encourage:

- Premises that will extend the diversity of entertainment and attract a wider range of participants
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
- National cultural institutions, global sports events and cultural festivals
- Non-drink-led premises, including restaurants, cafes, theatres and cinemas
- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application
- Participation in Pubwatches, off licence forums and other crime-reduction partnerships
- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

### **Section 7: Local factors**

This section sets out key issues that applicants are expected to take into account relevant to the individual characteristics of the premises when preparing their operating schedule and address any local factors relevant to their premises.

Having regard to the grounds of the representations made, the Panel are recommended to have regard to the following Factors:

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- Consistency with relevant Council strategies
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Ability to clean and maintain the street scene

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

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

- |      |  |
|------|--|
| MS2  | Effective general management of the premises   |
| MS3  | Responsible promotion and sale of alcohol  |
| 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 |

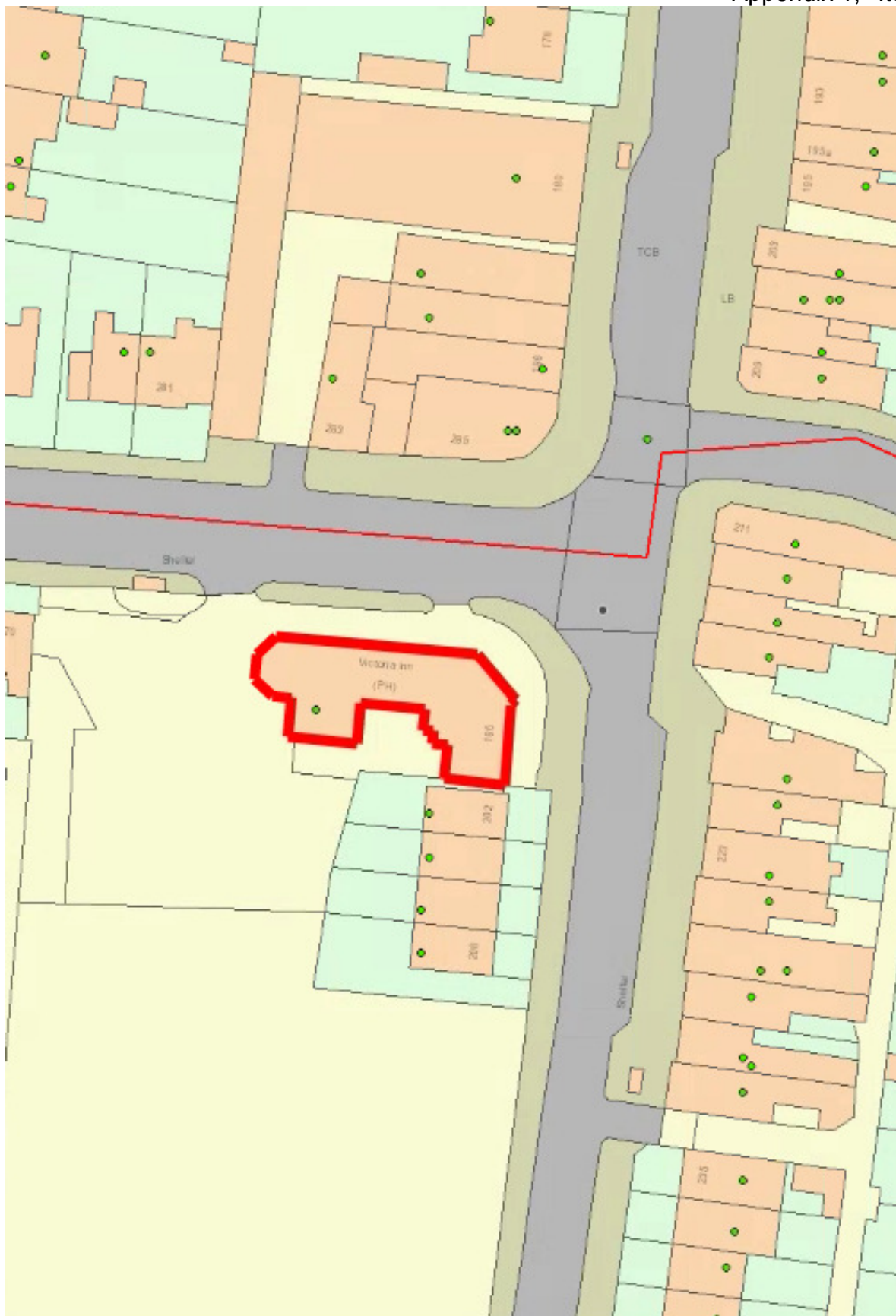
## **6. Conclusion**

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.**



Victoria Inn  
196 Burnage Lane, Manchester, M19 1FL





**PREMISE NAME:** Victoria Inn

**PREMISE ADDRESS:** 196 Burnage Lane, Manchester, M19 1FL

**WARD:** Burnage

**HEARING DATE:**





# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

<b>Premises licence number</b>	<b>048345</b>
<b>Granted</b>	<b>05/08/2005</b>
<b>Latest version</b>	<b>Variation 226661 (granted 09/03/2019)</b>

### Part 1 - Premises details

<b>Name and address of premises</b>
<b>Victoria Inn</b> 196 Burnage Lane, Manchester, M19 1FL
<b>Telephone number</b>
0161 442 1005

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

### 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	1100	1100	1100	1100	1100	1100	1200
Finish	2300	2300	2300	2300	2400	2400	2230
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non-standard Timings:							
<u>New Year's Eve:</u> Permitted start until the terminal hour on New Year's Day.							
<u>Friday, Saturday, Sunday preceding a Bank Holiday and Bank Holiday Monday:</u> One additional hour.							
<u>Thursday, Friday, Saturday, Sunday, Monday of Easter Bank Holiday:</u> One additional hour.							
<u>Christmas Eve, Boxing Day:</u> One additional hour.							
<u>Christmas Day:</u> Start 1200 Finish 1500 Start 1900 Finish 2230.							

Live music

Standard timings

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1200
Finish	2300	2300	2300	2300	2300	2300	2300

Licensed to take place indoors only.

Seasonal variations and Non-standard Timings:

New Year's Eve:

Permitted start until the terminal hour on New Year's Day.

Friday, Saturday, Sunday preceding a Bank Holiday and Bank Holiday Monday:

One additional hour.

Thursday, Friday, Saturday, Sunday, Monday of Easter Bank Holiday:

One additional hour.

Christmas Eve, Boxing Day:

One additional hour.

Recorded music							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1200
Finish	2300	2300	2300	2300	2400	2400	2300
Licensed to take place indoors only.							
<b>Seasonal variations and Non-standard Timings:</b>							
New Year's Eve: Permitted start until the terminal hour on New Year's Day.							
Friday, Saturday, Sunday preceding a Bank Holiday and Bank Holiday Monday: One additional hour.							
Thursday, Friday, Saturday, Sunday, Monday of Easter Bank Holiday: One additional hour.							
Christmas Eve, Boxing Day: One additional hour.							

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	Not permitted
Finish	2330	2330	2330	2330	2330	2330	
Licensed to take place indoors only.							
<b>Seasonal variations and Non-standard Timings:</b>							
New Year's Eve : Start 2300 Finish 0500.							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1200
Finish	2330	2330	2330	2330	0030	0030	2330
<b>Seasonal variations and Non-standard Timings:</b>							
New Year's Eve: Permitted start until the terminal hour on New Year's Day.							
Friday, Saturday, Sunday preceding a Bank Holiday and Bank Holiday Monday: One additional hour.							
Thursday, Friday, Saturday, Sunday, Monday of Easter Bank Holiday: One additional hour.							
Christmas Eve, Boxing Day: One additional hour.							

## Part 2

Details of premises licence holder	
<b>Name:</b>	Punch Taverns Limited
<b>Address:</b>	Jubilee House, Second Avenue, Burton Upon Trent, Staffordshire, DE14 2WF
<b>Registered number:</b>	03752645

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
<b>Name:</b>	Philip Patrick Smyth
<b>Address:</b>	
<b>Personal Licence number:</b>	47932
<b>Issuing Authority:</b>	Manchester City Council

Annex 1 – Mandatory conditions	
<b>Door Supervisors</b>	
1.	Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: -
(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. The above time restrictions in relation to the hours for the sale of alcohol do not prohibit:
  - (a) During the first twenty minutes after the above hours the consumption of the alcohol on the premises;
  - (b) During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

<ul style="list-style-type: none"> <li>(c) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption ancillary to the meals;</li> <li>(d) Consumption of the alcohol on the premises by, or the taking or sale or supply of alcohol to any person residing in the licensed premises;</li> <li>(e) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;</li> <li>(f) The sale of alcohol to a trader or club for the purposes of the trade or club;</li> <li>(g) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;</li> <li>(h) The taking of alcohol from the premises by a person residing there; or</li> <li>(i) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.</li> </ul>
<ul style="list-style-type: none"> <li>2. Management shall at night time ensure that persons leaving the licensed premises conduct themselves in an orderly manner and do not in any way cause annoyance to residents and/or persons passing by.</li> <li>3. The license holder shall liaise with the police and will act on any recommendation promptly.</li> <li>4. There shall be a health and safety policy in respect of the premises.</li> <li>5. Management and staff shall monitor noise levels to ensure that entertainment noise is inaudible at the nearest residential accommodation.</li> <li>6. Persons under the age of 18 shall not be allowed on the premises, at any time that the premises are open to the public.</li> </ul>

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

1. All windows and doors shall remain closed during the provision of regulated entertainment except for access and egress.
2. Notices shall be displayed at exits to the premises requesting patrons to disperse quietly.

#### **Annex 4 – Plans**

See attached

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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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**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 Punch Taverns Limited

*(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**

048345

**Part 1 – Premises Details**

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

Victoria Inn  
196 Burnage Lane

Post town

Manchester

Postcode

M19 1FL

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 34,000

**Part 2 – Applicant details**

Daytime contact  
telephone number

E-mail address (optional)

Current postal address if  
different from premises  
address

Punch Taverns Limited  
Jubilee House, Second Avenue,

Post town

Burton Upon Trent

Postcode

DE14 2WF

**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			
1	1	1	1	1	1	1	1

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☒ No

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

This is an application to change the premises hours as follows:

Proposed sale of alcohol hours:

Monday to Thursday from 11:00 to 00:00 (currently permitted 11:00 to 23:00);

Friday & Saturday: from 11:00 to 01:00 (currently permitted from 11:00 to 00:00);

Sunday: from 12:00 to 00:00 (currently permitted from 12:00 to 22:30).

We propose to remove the restriction of hours on Christmas day.

Proposed Opening Hours:

Monday to Thursday: from 11:00 to 00:30 (currently permitted from 11:00 to 23:30) ;

Friday & Saturday 11:00 to 01:30 (currently permitted 11:00 – 00:30) ;

Sunday: from 12:00 to 00:30 (currently permitted from 12:00 to 23:30).

Proposed Recorded Music Hours:

Monday to Thursday :11:00 – 23:30 (currently permitted 11:00 – 23:00);

Friday & Saturday: 11:00 – 00:00 (to remain unchanged)

Sunday: 12:00 – 23:30 (currently permitted 12:00- 23:00)

Proposed Live Music Hours:

Monday – Thursday from 11:00 to 23:30 (currently permitted 11:00 – 23:00 )

Friday & Saturday from 11:00 to 00:00 (currently permitted from 11:00 to 23:00)

Sunday: 12:00 – 23:30 (currently permitted 12:00 – 23:00)

Proposed Late Night Refreshment Hours

Monday to Thursday from 23:00 to 00:00 (currently permitted from 23:00 to 23:30);

Friday & Saturday: from 23:00 to 01:00 (currently permitted from 23:00 to 23:30);

Sunday from 23:00 to 00:00 (currently not permitted).

We also propose to amend Condition 6 Annex 2 to read: "Children are allowed on the premises when accompanied by a responsible adult until 9:00pm, unless they are finishing a table meal or attending a pre-booked private function when they will be allowed on the premises until the meal or function has finished";

We propose to remove Condition 1 Annex 2 to be consistent with the operating schedule.

All the other hours, conditions and licensable activities authorised by the premises licence are to remain unaltered.

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:

N/A

**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 see guidance note 3) 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 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	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 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

## B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			
Fri			<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 7)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	11:00	23:30			
Tue	11:00	23:30	State any seasonal variations for the performance of live music (please read guidance note 6) As per the existing licence		
Wed	11:00	23:30	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 7) As per the existing licence		
Thur	11:00	23:30			
Fri	11:00	00:00			
Sat	11:00	00:00			
Sun	12:00	23:30			



F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5) Please note that the hours for recorded music on Friday & Saturday remain unchanged.		
Mon	11:00	23:30			
Tue	11:00	23:30			
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6) As per the existing licence		
Wed	11:00	23:30			
Thur	11:00	23:30			
			<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 7) As per the existing licence		
Fri	11:00	00:00			
Sat	11:00	00:00			
Sun	12:00	23:30			

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat					
Sun					

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	00:00	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Tue	23:00	00:00			
Wed	23:00	00:00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Thur	23:00	00:00			
Fri	23:00	01:00	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat	23:00	01:00			
Sun	23:00	00:00			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6) As per the existing licence		
Mon	11:00	00:00			
Tue	11:00	00:00			
Wed	11:00	00:00			
Thur	11:00	00:00	<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 7) As per the existing licence except for the Christmas day variation that we would like to remove.		
Fri					
	11:00				
Sat		01:00			
	11:00				
Sun		01:00			
	12:00	00:00			

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 10).

None

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b><u>State any seasonal variations</u></b> (please read guidance note 6) As per the existing licence
Day	Start	Finish	<b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 7) As per the existing licence
Mon		00:30	
	11:00		
Tue		00:30	
	11:00		
Wed		00:30	
	11:00		
Thur		00:30	
	11:00		
Fri		00:30	
	11:00		
Sat		01:30	
	11:00		
Sun		01:30	
	12:00		

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

Condition 1 Annex 2 to be removed.

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 11)**

As per the existing licence except for the removal of Condition 1 Annex2.

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

As per the existing licence.

**c) Public safety**

As per the existing licence.

**d) The prevention of public nuisance**

As per the existing licence.

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

As per the existing licence, except for Condition 6 Annex 2 which now reads: "Children are allowed on the premises when accompanied by a responsible adult until 9:00pm, unless they are finishing a table meal or attending a pre-booked private function when they will be allowed on the premises until the meal or function has finished".



## Checklist:

Please tick to indicate agreement

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

**IT IS AN OFFENCE, 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.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	[Redacted]
Date	25/3/2019
Capacity	[Redacted]

**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 14). **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 15)

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. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

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

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

**Premise Details**

Application Ref No	<b>228341</b>
Name of Premises	Victoria Inn
Address	196 Burnage Lane, Manchester, M19 1FL

**Representation**

The Premises Licence Holder has submitted an application for variation, requesting to extend the opening hours of the premises by 1 hour each day of the week, extend the hours for all the licensable activities by anything between 30 minutes to 1 hour and 30 minutes every night. The application further proposes to amend Condition 6 Annex 2 to allow for children to be on the premises and proposes the removal of Condition 1 Annex 2 relating to the sale of alcohol.

The Licensing and Out of Hours Team (LOOHT) have assessed the likely impact of this variation application taking into account a number of factors including, the nature of the area in which the premises are located, the proximity to residential accommodation, the hours applied for, the current management of the premises under the Licensing Act 2003, the extent to which the Licensing Objectives are being upheld or undermined and any potential risk that the grant of this variation could lead to issues of public nuisance and/or disorder. In reaching this decision the LOOHT have given particular consideration to Manchester City Council's Statement of Licensing Policy 2016 -2021, specifically:

*Section 8 Manchester Standards (MS2) – Manchester City Council has identified standards that we expect of licensed premises in terms of promoting the licensing objectives through effective general management of the premises. Effective management of the premises is integral to ensuring the operator's policies and procedures, as well as licence conditions, are actively enforced at the premises.*

*7.25 Where its discretion is engaged, the licensing authority will ensure that due consideration is given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises, to ensure they are located in a position that does not adversely affect their ability to ensure the promotion of the licensing objectives. The potential impact on any local residents will be an important matter for consideration.*

*7.26 The authority will give particular consideration to measures proposed in the application in relation to prevent public nuisance.*

*7.28 The licensing authority will give consideration to the appropriateness of hours applied for, having regard to the location of premises and their likely effect on the*



*promotion of the four licensing objectives.*

*7.29 The authority considers that later hours will typically be more sensitive and higher risk in causing problems.*

The premises is located on Burnage Lane with residential accommodation in close proximity. See map below



On 9<sup>th</sup> March 2018, 5<sup>th</sup> July 2018, 7<sup>th</sup> August 2018 and 8<sup>th</sup> August 2018 the LOOHT received complaints from residents about noise nuisance from the premises and also allegations that the premises was open to the public and operating beyond the permitted hours on the premises licence. Further proactive visits carried out by officers verified these allegations. These visits were carried out on a weekly basis from March 2018 through to October 2018.

Due to the catalogue of incidences and observations made over the 6 month period the LOOHT invited the representative of the Premises Licence Holder (Tony Riley – Area Manager of Punch Taverns) and designated premises supervisor (Philip Smyth) for a meeting which took place on 24<sup>th</sup> October 2018. Also present at the meeting was GMP Licensing (PC Alan Isherwood) and Publican (Ms Shannon – partner of Philip Smyth). Following this meeting an Action Plan was devised to carry out the following actions:

- Punch Taverns to withdraw the application that had been made to vary the premises licence at the time
- Punch Taverns to devise a Dispersal Policy and for this to be a condition in the re-submission of the variation
- The Council required CCTV conditions to be added to the premises licence in the re-submission of the variation.
- If the Council were satisfied with the management of the premises over the next 3 months and felt confident that the premises licence holder was upholding the licensing conditions then they would consider the application to vary the licence again

Since then the LOOHT have attempted to carry out a full licensing inspection to assess the management of the premises which had to be re-arranged a few times from November 2018 to April 2019. During these attempts the designated premises supervisor (DPS) demonstrated a lack of taking ownership and responsibility to communicate and correspond with the LOOHT and work cooperatively.

On 2<sup>nd</sup> April 2019 a full licence inspection was carried out. During the inspection it became apparent that the Action Plan from 24<sup>th</sup> October 2018 had not been completed, giving officers concern about the existing management of the premises and the lack of commitment to work with the LOOHT.

The premises licence holder was also found to be non-compliant under the provisions of the Licensing Act 2003. The premises licence showed the DPS Philip Smyth's address to be incorrect. The premises telephone number was also incorrect. The premises licence holder was found to be in breach of several licensing conditions. During the visit LOOH officers engaged with Philip Smyth who made it apparent that he was not sure of the Age Verification Policy at the premises. Mr Smyth admitted during the meeting that they do not have a price list on display for the sale of alcohol. He also admitted that children have been allowed inside the premises under the supervision of an adult.

Please note below the current conditions of the premises licence, which have been breached:

#### Annex 1 – Mandatory Licence Conditions

**Condition 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.**

**Condition 8 (b): Alcohol measures are displayed in a menu, price list or other printed material which is available to customers in the premises.**

#### Annex 2 – Conditions consistent with the Operating Schedule

**Condition 6: Persons under the age of 18 shall not be allowed on the premises, at any time that the premises are open to the public.**

During the inspection the premises was also found to be non-compliant with best practice protocols. There was no current or relevant record of staff training on site to include the protection of children, responsible alcohol sales, prevention of crime, drunkenness and conflict management. In fact since the DPS had been appointed at the premises there have been no updated records of staff training provisions. The DPS had no understanding and awareness of the capacity at the premises. He also confirmed to being the first aider at the premises but admitted he didn't hold any relevant qualifications to support this status. He further admitted to not having a risk assessment in place for the protection of children. There was no evidence of identification checks or documented refusals log and there was no dispersal policy in place. The premises was assessed at medium to high risk.

Following the inspection the representative of the premises licence holder and DPS were advised to address all the areas of concern by 14:00 hours on 17<sup>th</sup> April 2019, which is the standard timeframe set by the LOOT. However the premises licence holder and DPS have, yet again, failed to action all of the areas of concerns as requested.

The LOOHT have tried on many occasions to work with the premises licence holder and the DPS but they have failed to cooperate. Both action plans of 24<sup>th</sup> October 2018 and 2<sup>nd</sup> April 2019 now remain incomplete.

The concerns identified from the licensing inspection has given reason for the premises to be subjected to enforcement measures by the LOOHT under the Licensing Act 2003. Given the lack of co-operation from the both the Premises Licence Holder and DPS, the LOOHT have strong concerns that the premises will continue to undermine the licensing objectives due to the current breaches of conditions imposed on the Licence.

Additionally, the LOOHT have taken into consideration the close proximity of residential properties to the premises and the potential impact in terms of public nuisance. The LOOHT are concerned that given the proposed extension of hours and lack of co-operation with the premises licence holder and DPS on the matters identified above, there is little confidence that the Premises Licence Holder/DPS will effectively manage the dispersal of customers at later closing times. Patrons may congregate outside the premises later at night, talking loudly/shouting and causing transient noise in a heavily residential area. As a consequence this would increase the risk of causing public nuisance to nearby residents.

For the above reasons the LOOHT would therefore recommend that the application to vary the premises licence is refused.

**Recommendation: Refuse Application**



From: **INFORMATION REDACTED**

Date: Mon, 22 Apr 2019 at 20:43

Subject: Application Reference: 228341/HH1

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

To whom it may concern,

I am writing to comment on application reference 228341/HH1, Victoria Inn, Burnage application to extend opening hours. My partner and I would like to make an objection against the application on the following grounds:

**1. Neighbouring residents have not been notified of this application**

My partner happened upon this application when checking the opening times of the property as we wished to make a noise complaint. To our knowledge, neighbouring residents of this business have not been notified of the application and therefore have not been given the opportunity to make a representation.

**2. Prevention of crime and disorder**

We have concerns regarding activity associated with this business. We have frequently observed police attendance at and outside of the property and have in the past had police officers knocking door to door asking for witnesses to events at this establishment. We have had littering to the front yard of our property following customers leaving the premises, verbal and physical domestic disturbances between customers of the premises directly outside our home and drunk customers knocking on our door and requesting access to our property. A lot of this behaviour is intimidating and we are concerned that extending the hours of access to purchasing and consuming alcohol in a residential area is not only going to increase the frequency of these occurrences, but also encourage this behaviour later into the night.

**3. The prevention of public nuisance**

In addition to the points raised above, over the last 18 months we have made several noise complaints both directly to the business and to the council. On a regular basis the level of noise coming from this establishment is unreasonable for a residential area. The noise is caused by loud music (both live and recorded), a heavy bass line and voices over microphones. The noise is worst at weekends, however has also affected us late into the night mid-week and on Sundays.

There is regularly high levels of noise beyond the licensed hours of the establishment. For example, on Sundays the Victoria Inn is currently licensed to provide entertainment until 11pm. Just last night there was loud live music audible from inside my property with the windows closed until nearly midnight. This kind of activity beyond the licensed hours is common and we are concerned that if the opening hours of the pub are extended this will encourage even later breaches of these terms.

#### **4. Public safety**

We feel that the presence of inebriated members of the public later into the night is unsafe for local residents and customers of the Victoria Inn. We feel that we have witnessed violent behaviour and a risk of damage to local properties under the current licence. Extending the hours that people are able to consume alcohol for will only increase these risks. We feel that the licensed hours applied for are more reflective of club premises and are not appropriate for a public house in a residential area with young families and elderly people living directly adjacent to the property.

Overall, our concerns are that the current owners of this establishment have not put measures in place to reduce noise disturbance, public nuisance and maintain the health and safety of their neighbours under the current licence and to extend their licensed hours as per this application will only worsen this situation.

Thank you for taking the time to consider our comments regarding this application. If you require any further information please do not hesitate to contact me.

Best wishes,

**INFORMATION REDACTED**

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

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