



Licensing Sub Committee Hearing Panel

Date: Tuesday, 28 May 2019

Time: 10.00 am

Venue: Council Antechamber - Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Access to the Council Chamber

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

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

Membership of the Licensing Sub Committee Hearing Panel

Councillors Ludford (Chair), Grimshaw and Hassan

Agenda

1. Urgent Business

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

2. Appeals

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

3. Interests

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

4. Application for a New Premises Licence for Azzurri Hairstylists, Unit 3, Abbey House, 9a Cooper Street, Manchester, M2 2FW.

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

5. Application for a Premises Licence Variation for Mega Save, 205 Lees Street, Manchester, M18 8GA

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

6. Application for a New Premises Licence for Wilderness Records, 9 Egerton Crescent, Manchester, M20 4PN.

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

Information about the Committee

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

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

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

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

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

Smoking is not allowed in Council buildings.

Joanne Roney OBE
Chief Executive
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Further Information

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

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This agenda was issued on **Friday, 17 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 – 28/05/2019

Subject: Azzurri Hairstylists, Unit 3, Abbey House, 9a Cooper Street,
Manchester, M2 2FW - App ref: Premises Licence (new)227312

Report of: Head of Planning, Building Control and Licensing

Summary

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

Recommendations

That the Panel determine the application.

Wards Affected:

Deansgate

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

Name: Fraser Swift
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Name: Bryan Johnson
Position: Technical Licensing Officer
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E-mail: b.johnson@manchester.gov.uk

Background documents (available for public inspection):

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

1. **Introduction**

- 1.1 On 19/03/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Azzurri Hairstylists, Unit 3, Abbey House, 9a Cooper Street, Manchester, M2 2FW in the Deansgate ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. **The Application**

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Azzurri Hairstylists Limited.
- 2.3 The description of the premises by the applicant is: the main business is on the ground floor and is a gents' hairstyling salon. The first floor is a fashion studio.
- 2.4 The proposed designated premises supervisor is Francesco Savignano
- 2.5 **The licensable activities applied for:**
 - The supply of alcohol for consumption on the premises only:
Mon to Sat 9.00am to 9.00pm
- 2.5.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 2.5.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.

2.6 **Activities unsuitable for children**

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

2.7 **Steps to promote the licensing objectives**

- 2.7.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.
- 2.7.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 4**.

2.8 **Further documentation accompanying the application (none)**

3. **Relevant Representations**

- 3.1 A total of 3 relevant representations were received in respect of the application (**Appendix 3**). 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

- 3.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	GMP have expressed concern that, due to the applicants clear lack of knowledge relating to the Four Licensing Objectives (as indicated by the applications Operating Schedule and lack of enforceable conditions being offered via the application) there exists the likelihood that the premises would be operated in conflict with and, therefore, undermine the Licensing Objectives.	Refuse
Licensing and Out of Hours Compliance	Due to pre-existing and on-going issues relating to on-street drinking and public nuisance connected to licensed premises within the immediate vicinity of the premises, LOOH are concerned that the addition of another licensed premises will only add to and further exacerbate the existing situation. As with GMP, this belief is further compounded by the	Refuse

	<p>applicant's apparent lack of knowledge relating to the Four Licensing Objectives and the further lack of relevant conditions that would demonstrate how said Licensing Objectives would be enforced and upheld.</p> <p>LOOH Compliance have also expressed concern regarding the applicants proposal to, effectively, change the use of the premises once its principal operation as a barbers has ceased on each trading day by allowing the sale of alcohol to continue. The proposal to operate a small external seating area to the front of the premises is also of concern to LOOH Compliance.</p>	
Trading Standards	<p>The Trading Standards Service does not believe that the application is specifically robust in regard to how the premises would uphold the Licensing Objective with specific reference to the protection of children from harm, and how the premises would prevent the sale or provision of alcohol to minors.</p> <p>In order to address their concerns, The Trading Standards Service are requesting that (should the application be granted) conditions relating to the 'Challenge 25' policy and appropriate staff training be added to the premises licence.</p>	Grant with conditions

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

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 New Information

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

4.3 Hearsay Evidence

- 4.3.1 The Panel may accept hearsay evidence and it will be a matter for the Panel to attach what weight to it that they consider appropriate. Hearsay evidence is

evidence of something that a witness neither saw nor heard, but has heard or read about.

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

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

4.5 Manchester Statement of Licensing Policy

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

Section 5: Special Policy Area

The premises is not located within a special policy area:

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

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

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

This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be

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

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

Section 9: Alcohol delivery services

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

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

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

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

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

Section 12: Premises Licences for large-scale public events

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

5. Conclusion

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

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



Azzurri Hairstylists
 Unit 3, Abbey House, 9a Cooper Street, Manchester,
 M2 2FW

Premises Licensing
 Manchester City Council

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PREMISE NAME: Azzurri Hairstylists

PREMISE ADDRESS: Unit 3, Abbey House, 9a Cooper Street, Manchester, M2 2FW

WARD: Deansgate

HEARING DATE: 28th May 2019

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Azzurri Hairstylists 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 Unit 3.Abbey House 9a Cooper Street			
Post town	Manchester	Postcode	M2 2FW

Telephone number at premises (if any)	0161 2226203
Non-domestic rateable value of premises	£17500

Part 2 - Applicant details

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

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

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

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

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

I am making the application pursuant to a

statutory function or ☐

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			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		
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 Azzurri Hairstylists Ltd
Address Unit 3.Abbey House 9a Cooper Street,Manchester M2 2FW
Registered number (where applicable) 11574479
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company

Telephone number (if any)

0161 2226203

E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
1	8	0	4	2	0	1	9

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

DD		MM		YYYY			

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

Our premises is a ground + first floor Premises on Cooper Street, which main business is on the ground floor is a gents hairstyling salon. The first floor is a fashion studio. We would like a license for the sale and consumption of alcohol on our premises and just outside the front window (ground floor main entrance) where we intend to put a couple of tables and chairs.

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

0

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

☐

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

☒

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (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	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Mon	9.00	21.00			
Tue	9.00	21.00			
Wed	9.00	21.00			
Thur	9.00	21.00	<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri	9.00	21.00			
Sat	9.00	21.00			
Sun					

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

Name Francesco Claudio Ugo Savignano	
Date of birth 10/03/1978	
Address [REDACTED]	
Postcode [REDACTED]	
Personal licence number (if known) 146067	
Issuing licensing authority (if known) Salford city council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

There will be no adult services or activities that may give rise to concern in respect of children.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	09.00	21.00	
Tue	09.00	21.00	
Wed	09.00	21.00	
Thur	09.00	21.00	
Fri	09.00	21.00	
Sat	09.00	21.00	
Sun			
			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)

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)

Our alcohol sales will be mainly for our clients having haircuts, so i forsee people consuming alcohol in a civilised manner. We want to create a nice relaxing ambience for our clients who may want a beer or glass of wine whilst reading a book or having a chat.

b) The prevention of crime and disorder

As stated in point A we're expecting any public disorder but we'll do our upmost to maintain a civilised and relaxed enviroment.

c) Public safety

Even at full capacity there will probably be on average 10-20 people on our premisis so we don't expect this to endanger public safety. We assume responsability for making sure the public will behave appropriately whilst on our premisis.

d) The prevention of public nuisance

On average we expect the most our clients will probably drink is 1-2 alcoholic beverages. If any of the public enter our premisis already intoxicated they will not be served any alcoholic beverages. As stated before we want to create a relaxed and civilised atmosphere.

e) The protection of children from harm

Customers will be asked for ID to prove their age.

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.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her
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	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)
Signature	
Date	15/03/2019
Capacity	Director

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

Signature	
Date	
Capacity	

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

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and

- (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,

- (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
- (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
- (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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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GREATER MANCHESTER POLICE - REPRESENTATION

About You

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

About the Premises

Application Reference No.	LPA 227312
Name of the Premises	Azzurri Hairstylists
Address of the premises including postcode	Unit 3, Abbey House, 9a Cooper Street, Manchester M2 2FW

Your Representation

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

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

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

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

GMP are concerned that if this licence was granted all of the 4 Licensing Objectives would be undermined.

We therefore ask that this application is refused.


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

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

Premise Details

Application Ref No	Ref 227312
Name of Premises	Azzurri Hairstylists
Address	Unit 3, Abbey House, 9a Cooper Street, Manchester, M2 2FW

Representation

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

The Licensing and Out of Hours (LOOH) team have assessed the likely impact of granting the new licence to Azzurri Hairstylists, taking into account a number of factors, and the licensing objectives.

The LOOH team have given consideration to Manchester City Council's statement of Licensing Policy 2016-2021, specifically:

7.25 'Where it's 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'.

The premises is located at 9a Cooper Street. It is over 2 floors, the ground and first floor. The ground floor is a barbers. There is a recess at the front of the premises, which is not on the public highway, but is part of the premises. When entering the premises, there are three barbers chairs on the left side of the ground floor, a bar/counter to the rear of the ground floor, and a long seating area to the right of the ground floor. The first floor is used for a fashion studio. The fashion studio houses industrial sewing machines and work spaces for the fashion business. The building is a mixed use building. There is a wine bar next door. The premises is opposite Kennedy Street, where there are three licensed premises, the Waterhouse, The Vine and The City Arms.

The Licensing and Out of Hours team have concerns that the granting of this licence could lead to issues of public nuisance, in particular to people drinking outside and making noise.

The applicant has stated in his application that he would like a licence for the sale and consumption of alcohol on the premises and just outside the front window where he intends to put a couple of tables and chairs. There are issues in the immediate locality to Azzurri Hairstylists of people from other licensed premises drinking on the street. This issue is being addressed, but the applicant does not demonstrate that he is aware of the issue, and detail how he would not add to this problem, such as not allowing customers to drink or congregate outside. The applicant has requested that they supply alcohol after the principal business has closed, which would result in them changing their use, from a barbers and fashion studio to a bar.

In his application, the applicant has not demonstrated in the operating schedule that he has an understanding of the licensing objectives. He hasn't put forward conditions that demonstrate his understanding of the licensing objectives. He hasn't put in any conditions about preventing customers from getting drunk and causing harm to themselves or others given the nature of the premises and the equipment in the premises, and how he intends to ensure that the business remains a barbers and fashion studio, rather than becoming a bar.

We therefore recommend that this application is refused.

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

ABOUT YOU		PLEASE NOTE: LICENSING OFFICERS, LICENSING COMMITTEE MEMBERS AND THE APPLICANT CAN VIEW THE INFORMATION PROVIDED ON THIS FORM
Your first name (required)	Your last name (required)	
Ivor	Parry	
Your address including postcode (required)		
Trading Standards Service 1 Hammerstone Road Manchester M18 8EQ		
Contact email address	Contact phone no	
i.parry@manchester.gov.uk	0161 234 1540	
Your signature (I hereby declare the information I have provided on and with this form is correct to the best of my knowledge and belief)		

ABOUT THE PREMISES
Application Ref No. (if known):
LPA 227312
Name of the Premises about which you would like to make a representation:
Azzurri Hairstylists
Address of the Premises (including postcode if known):
Unit 3 Abbey House 9a Cooper Street Manchester M2 2FW

YOUR REPRESENTATION
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)
<p>The premises at Abbey House 9a Cooper Street is set out over two floors. The ground floor is to operate as a gents hairstylist and the first floor a fashion studio. It is Trading Standard's understanding that the sale of alcohol will be ancillary to the core of the business gents, hairstyling. Customers over 18 will be able to purchase an alcoholic drink if they so wish whilst they are waiting. With regard to the first floor fashion studio it is our understanding that alcohol will only be available to bona fide guests/clients.</p> <p>However, Trading Standards do not feel the application is detailed enough particularly around the prevention of sales of alcohol to minors.</p> <p>It is a mandatory licensing condition for all licensed premises to have an age verification policy in place. We would like this to be the Challenge 25 policy which is accepted as good practice. With regard to staff training; we would like to ensure that the prevention of under age sales of alcohol is given prominence in the training</p>

packages. These two requirements are the minimum we feel are necessary to promote the licensing objective of The protection of children from harm and are appropriate and proportionate for the business model being proposed

We would therefore like the following conditions attached to the licence should it be granted.

- 1) The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram.
- 2) In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals.

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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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. If any of the public enter our premises already intoxicated they will not be served any alcoholic beverages. 2. We assume responsibility for making sure the public will behave appropriately whilst on our premises. 3. Customers will be asked for ID to prove their age. 	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 4. 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. 5. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. 	No	The Trading Standards Service

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 28 May 2019

Subject: Mega Save, 205 Lees Street, Manchester, M18 8GA - App ref: Premises Licence variation230023

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:

Gorton and Abbey Hey

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

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

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

Background documents (available for public inspection):

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

1. **Introduction**

- 1.1 On 02/04/2019, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of Mega Save, 205 Lees Street, Manchester, M18 8GA in the Gorton and Abbey Hey ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. **Current Licence**

- 2.1 The premises licence holder is Nabil Saddique 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 business hours to open until 4am.

Proposed hours and licensable activities:

Supply of alcohol for consumption off the premises only:

Current hours: Mon to Sun 7am to 11pm

Proposed hours: Mon to Sun 7am to 4am

Opening hours:

Current hours: Mon to Sun 7am to 11pm

Proposed hours: Mon to Sun 7am to 4am

- 3.2.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800

and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.

- 3.2.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 3**.

3.3 **Activities unsuitable for children**

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

3.4 **Steps to promote the licensing objectives**

- 3.4.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.
- 3.4.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 6**.

4. **Relevant Representations**

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

Responsible Authorities:

- Greater Manchester Police (x2);
- MCC Licensing and Out of Hours Compliance Team;

Other Persons:

- Gorton & Abbey Hey Ward Councillors;

- 4.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP (PC Alan Isherwood)	Concerns regarding the lack of extra conditions to support the extended opening hours and that persons congregating outside the premises in the early hours will cause public nuisance in the form of noise disturbance to nearby residents.	Refuse

GMP Sgt John Reilly)	Concerns regarding the potential increase in anti-social behaviour causing public nuisance and an increased demand on police resources in the early hours with a consequent effect on public safety.	None
Licensing and Out of Hours Compliance	Concerns regarding the proximity of the premises to local residents and the potential impact of public nuisance and anti-social behaviour from intoxicated persons and noise nuisance from vehicles. The premises are adjacent to a shared housing refuge for persons with alcohol dependency. The applicant has offered insufficient detail in his conditions to demonstrate he understands the licensing objectives.	Refuse
Gorton & Abbey Hey Ward Councillors	Concerns that the premises will attract customers who are already drunk leading to potential anti-social behaviour and crime and disorder such as fighting and public nuisance and from the loud or aggressive behaviour of customers.	Refuse

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

5. Key Policies and Considerations

5.1 Legal Considerations

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

5.2 New Information

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

5.3 Hearsay Evidence

- 5.3.1 The Panel may accept hearsay evidence and it will be a matter for the Panel to attach what weight to it that they consider appropriate. Hearsay evidence is

evidence of something that a witness neither saw nor heard, but has heard or read about.

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

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

5.5 **Manchester Statement of Licensing Policy**

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

Section 6: What we aim to encourage

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

- Premises that will extend the diversity of entertainment and attract a wider range of participants

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

Section 7: Local factors

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

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

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

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

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

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

MS1 Implement effective security measures at the premises

MS2 Effective general management of the premises

MS8 Prevent noise nuisance from the premises

6. Conclusion

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

- the prevention of crime and disorder
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

6.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.

6.3 The Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:

- a) To grant the licence subject to the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate;
- b) To reject the whole or part of the application

6.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.

6.5 However, conditions should not be imposed on a licence which are unrelated to the variation sought.

6.6 All licensing determinations should be considered on the individual merits of the application.

6.7 The Panel’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to

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

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

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Mega Save
205 Lees Street, Manchester, M18 8GA

Premises Licensing
Manchester City Council

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Survey100019568.



PREMISE NAME: Mega Save

PREMISE ADDRESS: 205 Lees Street, Manchester, M18 8GA

WARD: Gorton and Abbey Hey

HEARING DATE: 28/05/2019



MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	136367
Granted	20/06/2011
Latest version	Change of Detail 08/03/2019

Part 1 - Premises details

Name and address of premises
Mega Save 205 Lees Street, Manchester, M18 8GA

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

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0700	0700	0700	0700	0700	0700	0700
Finish	2300	2300	2300	2300	2300	2300	2300
The sale of alcohol is licensed for consumption off the premises only.							
Seasonal variations and Non standard Timings:							
None							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0700	0700	0700	0700	0700	0700	0700
Finish	2300	2300	2300	2300	2300	2300	2300
Seasonal variations and Non standard Timings:							
None							

Part 2

Details of premises licence holder	
Name:	Mr Nabil Saddique
Address:	
Registered number:	Not applicable

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	Mr Nabil Saddique
Address:	
Personal Licence number:	HYP A0640
Issuing Authority:	Hyndburn Borough Council

Annex 1 – Mandatory conditions**Door Supervisors**

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

Supply of alcohol

1. 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
2. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
3.
 - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) 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 a holographic mark.

Annex 2 – Conditions consistent with the operating schedule

Not applicable

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

1. The CCTV system will record images on to a digital hard drive. The CCTV system will provide play back images of sufficient clarity to provide facial recognition. The cameras will at record persons immediately outside the store, all ingress and egress to the premises, fire exits and all areas where the sale/ supply of alcohol occurs, and a view from behind the pay counter all providing clear uninterrupted head and shoulder images of customers. All areas of the store where customers have legitimate access will be illuminated to enable CCTV to be fit for purpose. All CCTV recorded images will have sufficient clarity / quality / definition to enable facial recognition without the need of third party enhancement. All CCTV recordings will be correctly timed and date endorsed. CCTV will be kept in an unedited format for a period of 31 days on a roll over basis. Any DVD's subsequently produced will be in a format so it can be played back on a standard personal computer or standard DVD player. Any person left in charge of the premises must be trained in the use of any such CCTV equipment and able to produce / down load / burn CCTV images upon request by a person from a responsible authority at the time of the request any Police or local authority officials. CCTV will be maintained on a regular basis and kept in good working order. CCTV maintenance records to be kept details of contractor used and work carried out to be recorded. Plans indicating the position of CCTV cameras to be shown on the plan submitted to the Licensing Authority.
2. Signage will be displayed indicating CCTV and the Challenge 25 Policy are in operation at the store.
3. The premises shall prominently display posters detailing the criminal offences that can be committed by purchasing or attempting to purchase alcohol for a person who is under the age of 18. The notices shall also include a warning that a financial penalty may be imposed on conviction of such an offence.
4. All members of staff will be trained in the implementation and enforcement of Challenge 25.
5. The only acceptable forms of identification will be passports, PASS cards, a UK Photograph Driving Licence and or Passport.

6. The premises shall adopt a till prompt system to assist the Challenge 25 policy.
7. A refusals log will be maintained at all times, staff refusing a person will endorse the refusals log.
8. The DPS will check the refusals log weekly and sign it to that effect.
9. A personal licence holder to be at the premises at all times a licensable activity is available to the public.
10. Staff will discourage persons from congregating outside the store.
11. A litter bin will be provided outside the premises to encourage responsible litter disposal.
12. Staff will ensure the outside area of the store is kept clean, tidy and free from litter.
13. Regular checks to be made by staff around and outside the premises for underage persons encouraging adults to buy alcohol for them.
14. All staff employed at the premises will provide their full name, place of birth and where applicable their immigration status to the Greater Manchester Police Licensing Officer having responsibility for the premises.
15. Bona Fide receipts for alcohol and cigarettes to be kept on the premises for 3 months.
16. These receipts must be produced at the time of any request by a Police Officer or Trading Standards Officer.
17. All members of staff will be trained in the promotion of the four Licensing objectives and Challenge 25 policy.
18. This training will be repeated on a 3 monthly rota and this training is to be documented and recorded when the staff member has been provided with the training. Copies of the training material will be kept at the premises.

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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MANCHESTER
CITY COUNCIL

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

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We NABIL SADDIQUE

(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 136367

Part 1 – Premises Details

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

205 LEES STREET
MANCHESTER

Post town GORTON

Postcode M18 8GA

Telephone number at premises (if any) [REDACTED]

Non-domestic rateable value of premises £ 0

£ 8200

Part 2 – Applicant details

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

Part 3 - Variation

Please tick as appropriate

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

☒ Yes☐ No

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

DD	MM	YYYY

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

THE BUSINESS IS AN OFF LICENSE AND
 CONVENIENCE STORE OPENED FROM 7AM
 TILL 11PM, 7 DAYS A WEEK.
 WE PROPOSE TO CHANGE THE BUSINESS HOURS.

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

Part 4 Operating Schedule

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

Provision of regulated entertainment**Please tick all that apply**

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

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

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

In all cases complete boxes K, L and M

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Mon	0700	0400			
Tue	0700	0400			
Wed	0700	0400			
Thur	0700	0400	<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	0700	0400			
Sat	0700	0400			
Sun	0700	0400			

K

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

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	0700	0400	
Tue	0700	0400	
Wed	0700	0400	
			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Thur	0700	0400	
Fri	0700	0400	
Sat	0700	0400	
Sun	0700	0400	

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

Please tick as appropriate

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

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

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

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**b) The prevention of crime and disorder**

TO PREVENT THIS WE PROPOSE TO HAVE A WINDOW SERVICE HATCH FOR BUSINESS AFTER 11PM WITH THE DOOR LOCKED.

c) Public safety

FOR PUBLIC SAFETY WE HAVE HI-TEC CCTV IN PLACE RECORDING 24HOURS 7 DAYS A WEEK.

d) The prevention of public nuisance

ANY TROUBLE CAUSED WILL BE ASKED TO MOVE ALONG ELSEWHERE.

e) The protection of children from harm

AFTER 11PM WE INTEND TO LOCK THE DOOR SO UNDER 18'S YEAR OLDS HAVE NO ACCESS TO ALCOHOL.

Checklist:


Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 10)

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

Signature	
Date	25/3/19
Capacity	Licence holder




Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

NARIL SADDIQUE



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)			

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	Dave Horbury
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	d.horbury@manchester.gov.uk
Telephone Number	0161 234 1536/ 1220

Premise Details

Application Ref No	M/230023
Name of Premises	Mega Save
Address	205, Lees Street, Gorton, Manchester, M18 8GA

Representation

The Licensing & Out of Hours Compliance Team as the responsible authority have assessed the proposed variation to extend the licensable hours for the sale of Alcohol, from their existing hours 07:00 to 23:00 Monday to Sunday to the requested hours 07:00 to 04:00 Monday to Sunday.

Licensing and Out of Hours have assessed the likely impact of the grant of this variation application taking into account a number of factors, including the activities and extensions being applied for, the nature of the area in which the premises is located and any potential risk that granting the variation could have on any of the four licensing objectives.

As a result of this assessment the Licensing and Out of Hours Team have concerns that the grant of the application to increase the hours is likely to lead to the increased Public Nuisance and Crime and Disorder in the area.

In reaching this decision we have given particular consideration to Manchester City Council's Statement of Licensing Policy 2016-2021, in particular sections:

7.12 - The authority will give particular consideration to the general character of the surrounding area, including crime and antisocial behaviour (ASB) levels, litter problems, issues regarding underage or proxy sales, and noise complaints.

7.25 - 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 as well.

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

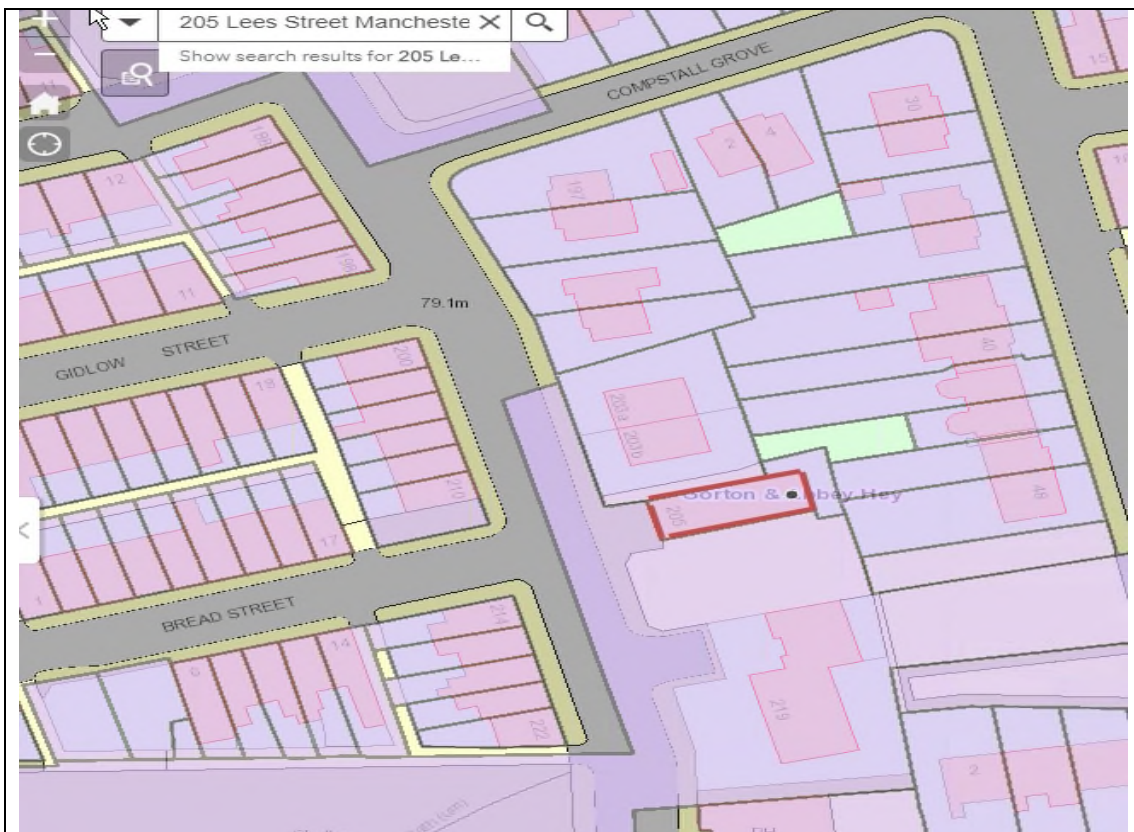
The Licensing and Out of Hours team are concerned that given the lateness of the proposed hours and due to the close proximity of residential properties to the premises the local residents will be disturbed by noise from vehicles and customers frequenting the premises until the terminal hour 04:00 therefore the potential impact in terms of public nuisance would greatly be increased, and could also attract intoxicated people to the area, as a consequence it could potentially increase the risk for public nuisance and alcohol related anti-social behaviour.

We also have concerns as there is a Shared Housing refuge which is operated by Manchester City Council which is next door to the premises, the house is specifically for people who have alcohol and or substance dependency.

The applicant goes some way in explaining how he intends to promote the four licensing objectives, however I feel that there is insufficient information to demonstrate that the applicant fully understands the Licensing Objectives, or how he intends to promote them with regard to the variation.

Taking into consideration the above factors, I believe that by agreeing to the application it is likely to lead to the licensing objectives being undermined in particular in relation to Public Nuisance, therefore I recommend that the application be refused.

Annex 1: Area Plan showing Mega Save **[Outlined in Red]** and surrounding residential Properties



Mega Save, 205 Lees Street.



Approach from Compstall Grove



Approach from Abbey Hey Lane

Recommendation: To Refuse Application

GREATER MANCHESTER POLICE - REPRESENTATION

About You

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

About the Premises

Application Reference No.	LPV 230023
Name of the Premises	Mega Save
Address of the premises including postcode	205 Lees Street, Manchester M18 8GA

Your Representation

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

Please accept this as formal notification of the Greater Manchester Police objection to the premises licence 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 applicant is seeking to extend their licensable hours for the sale of alcohol for 5 hours each night until 4am. Despite this vast increase in hours the applicant has offered nothing in terms of additional conditions other than they will use a hatch after 11pm. The use of a hatch will almost certainly lead to a congregation of customers outside the premises and with the extension in hours this could mean that people are hanging round outside until well into the early hours.

Furthermore the hours applied for are excessive for premises which are next to and opposite residential dwellings and are more in keeping with a city centre premises. If this application was granted there would almost certainly be a noise disturbance to the local residents from customers visiting the premises and using the hatch.

We therefore ask that this application is refused.

From: **Councillor Julie Reid** <cllr.j.reid@manchester.gov.uk>
Date: Sun, 28 Apr 2019 at 20:53
Subject: Re: Premises Licence variation 230023/PW5: Mega Save, 205 Lees Street, Manchester, M18 8GA, (Gorton and Abbey Hey ward)
To: Premises Licensing <premises.licensing@manchester.gov.uk>
Cc: Councillor Carmine Grimshaw <cllr.c.grimshaw@manchester.gov.uk>, Councillor Afia Kamal <cllr.a.kamal@manchester.gov.uk>, Councillor Donna Ludford <Cllr.d.ludford@manchester.gov.uk>, Councillor John Hughes <cllr.j.hughes@manchester.gov.uk>, [REDACTED] >

Dear Premises Licensing officers, we would like to object to this application for an extension of the license to 4am. This email is sent on behalf of Cllrs Reid, Kamal and Hughes. The following are the reasons for our objection:

- 1) The prevention of crime and disorder. We think that people will be drawn from out of the area in taxis to come to Mega Save who are already drunk. This will lead to loud behaviour and possible fighting causing anti social behaviour for local residents.
- 2) The prevention of public nuisance. We think that an extension to a 4am licensd will cause people to Mega Save from out of the area who are already drunk and who will cause a public nuisance to local residents.
- 3) Public Safety. We think that an extension to 4am will cause a problem to public safety because it will draw in drunken people from out of the area that are already intoxicated. We envisage them to be loud and aggressive and therefore being a threat to public safety.
- 4) Protection of Children from Harm. We think that extending the license to 4am will cause children to be harmed by parents and carers who could purchase alcohol until 4am and therefore they could leave the children home alone and return home becoming intoxicated and therefore unable to properly safeguard their children.

I hope that all of these points can be taken into consideration and the extension of the licence to be refused.

Regards
Cllrs Reid, Kamal and Hughes

From: <John.Reilly@gmp.police.uk>
Date: Mon, 29 Apr 2019 at 18:50
Subject: RE: Premises Licence variation 230023/PW5: Mega Save, 205 Lees Street, Manchester, M18 8GA, (Gorton and Abbey Hey ward)
To: <premises.licensing@manchester.gov.uk>
Cc: <cllr.j.reid@manchester.gov.uk>

Licensing Dept,

I am the Gorton and Abbey Hey neighbourhood sergeant, and I am responsible for the area that this premises is applying for the later sale of alcohol. I completely agree with the councillors comments and also have grave concerns in allowing this licensing variation to be agreed.

This location is in a residential built up area and the locality is currently and previously a crime hotspot for serious and acquisitive crime. The area is also high in anti-social behaviour types of reports.

I believe the later sale of alcohol will continue and potentially increase this trend. Causing further nuisance and more victims of crime within the immediate community or it being displaced to other areas.

The intended supply of alcohol at these later hours and the anticipated impact will additionally put a further strain on our already limited resources, in the ability to respond to calls of service at these times which in turn may effect public safety.

I submit this information for your attention and consideration.

Regards,

John.

Sergeant John Rielly 9116
Gorton Neighbourhood Team
Gorton Police Station
Garratt Way
City of Manchester
GMP
Tel : [REDACTED]

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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
1. A service hatch will be used for business after 11pm and the door will be locked. 2. Hi-tec CCTV shall be in place recording 24 hours a day seven days a week. 3. Persons causing trouble will be asked to move along elsewhere.	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
None		

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Manchester City Council Report for Resolution

Report to: Licensing Subcommittee Hearing Panel – 28 May 2019

Subject: Wilderness Records, 9 Egerton Crescent, Manchester, M20 4PN - App
ref: Premises Licence (new)229805

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:

Withington

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

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

Background documents (available for public inspection):

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

1. **Introduction**

- 1.1 On 01/04/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Wilderness Records, 9 Egerton Crescent, Manchester, M20 4PN in the Withington 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 Wilderness Trading Limited.
- 2.3 The description of the premises by the applicant is: 'The premises currently trades and will continue to trade as a record shop. The premises currently also offers refreshments such as coffee as an additional element to this.'
- 2.4 The proposed designated premises supervisor is Matthew Lake
- 2.5 **The licensable activities applied for:**

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

Mon to Sun 11am to 10pm

Opening hours:

Mon to Sun 8am to 10.30pm

Non-standard timings for both of the above:

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

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

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

2.6 **Activities unsuitable for children**

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

2.7 **Steps to promote the licensing objectives**

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

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

2.8 **Further documentation accompanying the application**

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

- Smoking and Al Fresco Dining Policy

3. **Relevant Representations**

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

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team.

Other Persons:

- Withington Civic Society;
- Fallowfield and Withington Community Guardians;
- Councillors Wills and Moore
- Resident (x1).

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	The granting of this licence could lead to an increase in public nuisance and antisocial behaviour and would not be in accordance with Manchester City Council's Statement of Licensing Policy 2016-2021, specifically the special policy in respect of Withington Stress Area.	Refuse
Withington Civic Society	The granting of this licence would not be in accordance with Manchester City Council's Statement of Licensing Policy 2016-2021, specifically the special policy in respect of Withington Stress Area. It could also lead to a rise in antisocial behaviour and public nuisance in the form of litter.	Refuse
Fallowfield and Withington Community Guardians	The granting of this licence would not be in accordance with Manchester City Council's Statement of Licensing Policy 2016-2021, specifically the special policy in respect of Withington Stress Area. It could also lead to a rise in antisocial behaviour and public nuisance in the form of increased noise and litter.	Refuse
Resident (x1)	The granting of this licence could lead to public nuisance in the form of noise emanating from the premises, particularly as it is in close proximity to a school.	Refuse
Councillors Wills and Moore	Representation in support – the conditions proposed in the operating schedule uphold all four of the licensing objectives.	Grant

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

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 New Information

4.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other

information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.

4.3 **Hearsay Evidence**

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

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

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

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

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

4.5 **Manchester Statement of Licensing Policy**

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

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

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

- 4.5.4 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy:

Section 5: Special Policy Area

The premises is located within the following special policy area:

Withington Stress Area

The effect of the Special Policy is to set out a range of specific approaches according to the nature of the premises to be licensed. With respect to this application, the Policy proposes the following approach:

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

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

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

Section 6: What we aim to encourage

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

- Premises that will extend the diversity of entertainment and attract a wider range of participants
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
- National cultural institutions, global sports events and cultural festivals
- Non-drink-led premises, including restaurants, cafes, theatres and cinemas
- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application

- Participation in Pubwatches, off licence forums and other crime-reduction partnerships
- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

Section 7: Local factors

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

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

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

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

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

MS2 Effective general management of the premises

MS3 Responsible promotion and sale of alcohol

MS5 Prevent on-street consumption of alcohol

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.

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PREMISE NAME: Wilderness Records

PREMISE ADDRESS: 9 Egerton Crescent, Manchester, M20 4PN

WARD: Withington

HEARING DATE: 28/05/2019

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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 Wilderness Trading Limited

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Wilderness Records, 9 Egerton Crescent, Withington			
Post town	Manchester	Postcode	M20 4PN

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£3,400

Part 2 - Applicant details

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

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

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

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

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

I am making the application pursuant to a

statutory function or ☐

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			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		
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 Wilderness Trading Limited
Address 82 The Greenhouse, Mediacityuk, Salford, M50 2EQ
Registered number (where applicable) 11706455
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited company

Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	5	04
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)

The premises currently trades and will continue to trade as a record shop. The premises currently also offers refreshments such as coffee as an additional element to this.

The applicant has recently purchased the premises, and the purpose of this application is to permit them to sell alcohol in the same way.

The applicant acknowledges the location of the premises in the Withington Stress Area, as set out in Manchester City Council's Statement of Licensing Policy (the 'Policy'), but is confident that it will not impact negatively upon the licensing objectives due to a number of factors as set out below. Indeed, in light of these factors, the applicant is of the view that the grant of this application would uphold the aims of the Policy.

The first of these factors is the hours sought in this application, as set out below. The Policy indicates (at 5.2) a concern that Withington may attract late-night venues which cannot set up in Fallowfield due to the CIP. The applicant would submit that the hours sought clearly are not 'late night'.

The second is the nature/style of operation of the premises. Again, at 5.2 the Policy indicates a concern in respect of 'alcohol-led venues'. This is not an alcohol focussed premises, as its primary use is and will continue to be as a record store. However, customers may wish to browse the premises, listen to some music and also have the option of ordering a drink (either alcoholic or non-alcoholic) should they wish to do so. The Policy further details (at 5.20) that non-alcohol led venues, with a closing time of up to midnight will be 'strongly encouraged'. The applicant would therefore submit that the grant of this application should be encouraged.

The applicant has also offered appropriate and proportionate conditions to address any potential impact of the grant of this application, and would further submit that whilst this in itself is not an exceptional factor as per the Policy, the relatively small size of the venue will dictate and minimise any potential impact in any case.

Finally, whilst the applicant company itself is relatively newly established, the individuals behind the company have vast experience in running various licensed premises across Manchester and the country (including The Liars Club and Junkyard Golf Cub), and are therefore well versed in putting policies and procedures into place which ensure that the licensing objectives are upheld.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (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	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Mon	11:00	22:00			
Tue	11:00	22:00			
Wed	11:00	22:00			
Thur	11:00	22:00			
Fri	11:00	22:00			
Sat	11:00	22:00			
Sun	11:00	22:00			
			<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
			From the start time on New Year's Eve to the terminal hour for New Year's Day.		

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

Name Matthew Lake	
Date of birth	[REDACTED]
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) Salford City Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	08:00	22:30	
Tue	08:00	22:30	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6) From the start time on New Year’s Eve to the terminal hour for New Year’s Day.
Wed	08:00	22:30	
Thur	08:00	22:30	
Fri	08:00	22:30	
Sat	08:00	22:30	
Sun	08:00	22:30	

M

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

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

Please see attached operating schedule and policy.

b) The prevention of crime and disorder

Please see attached operating schedule and policy.

c) Public safety

Please see attached operating schedule and policy.

d) The prevention of public nuisance

Please see attached operating schedule and policy.

e) The protection of children from harm

Please see attached operating schedule and policy.

Checklist:**Please tick to indicate agreement**

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or
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	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)
Signature	Kuit Steinart Levy LLP
Date	27 March 2019
Capacity	Solicitors and Authorised Agents

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Kuit Steinart Levy LLP, 3 St Mary's Parsonage			
Post town	Manchester	Postcode	M3 2RD
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			

OPERATING SCHEDULE

A) The Prevention of Crime and Disorder

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

B) Public Safety

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

C) The Prevention of Public Nuisance

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

2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
3. The exterior of the building shall be cleared of litter at regular intervals.
4. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
5. A Smoking and Al-Fresco Dining Policy will be implemented and adhered to (see attached).
6. The emptying of bins into skips, and refuse collections will not take place between 10pm and 8am.

D) The Protection of Children From Harm

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

WILDERNESS RECORDS

SMOKING & AL FRESCO DINING POLICY

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

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

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

Wilderness records [REDACTED]

1 message

15 April 2019 at 18:36

To: premises.licensing@manchester.gov.uk

Dear planners,

I seriously object to granting a totally inappropriate alcohol license to this shop, which is next to our post office, frequented by among others, elderly people, parents and children, many of whom also use Egerton Crescent as a cut through to St Paul's school, who I'm sure, don't want to witness drinking, smoking and possibly loud music outside this establishment, which by the way, is on a residential street.

[REDACTED] states on line that he intends to "double" the size of this shop with " a year round garden terrace" Please remember this is a residential area! If granted, [REDACTED] next step would very likely be an extension to the licensing hours! and who knows what else!

This "Cocktail Bar Entrepreneur" as he calls himself, is very well versed with the Licensing Act 2003 and thus setting out his grandiose intentions to planning - as he has many drinking establishments- with fully trained door staff, cctv, safety checks etc; etc;
(All of which sounds like he's planning a significant nightclub!) We don't need, not have we ever had, door staff on our high street pubs and bars in Withington. I think this man is attempting to seduce the planning dept: with his ' intentions' and I wonder how long all this would last if a license is granted?

I absolutely object to this planning application and I consider that it would set a totally inappropriate precedent for bars etc; off our main high street which we should be using and supporting, and we FULL TIME residents of Withington certainly do!

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]



Re: Premises Licence (new) 229805/CT4: Wilderness Records, 9 Egerton Crescent, Manchester, M20 4PN (Withington ward)

1 message

Councillor Chris Wills <cllr.c.wills@manchester.gov.uk>

15 April 2019 at 16:03

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

Cc: Rebecca Moore <cllr.r.moore@manchester.gov.uk>

Dear Chloe

I am emailing on behalf of myself and Councillor Rebecca Moore to express our support as local Councillors for licence application 229805/CT4, in respect of Wilderness Records, [9 Egerton Crescent, Manchester M20 4PN](#).

For some years, the above premises was occupied by Deco Records. This business had been an integral part of Withington Village, particularly when Makers Markets were held on Egerton Crescent, at which point Deco was very much the focal point, providing live music as part of each event. We were therefore very saddened when the owner decided to sell the business.

We were however very pleased to learn that the premises had been bought as an ongoing concern and would continue to trade as a record shop, with an enhanced refreshment offer (Deco Records had previously sold hot and cold soft drinks and light snacks). We are aware that the applicant, Wilderness Trading Limited, has a successful track record with other businesses in Manchester.

Wilderness had a very successful opening event on Saturday 13 April and it is clear that the owners are committed to making this a key focal point for Withington Village. This is especially welcome at a time when there is a big drive towards regenerating Withington Village and helping it realise its full potential. This includes plans to develop the former NatWest Bank on Wilmslow Road, and a bid submitted to the Future High Streets Fund.

With regards the strength of the application in relation to the four licensing objectives, our comments are as follows.

The prevention of crime and disorder

Steps 1-6, 8-9, 11, 13 and 20-23 all demonstrate a clear commitment to prevention of crime and disorder.

The prevention of public nuisance

Steps 7-9, 11 and 14-19, as well as the Smoking & Al Fresco Dining Policy, all demonstrate a commitment to prevention of public nuisance. It is also to be noted that the proposed hours for sale of alcohol are shorter than those of existing licensed premises in the area (both bars and retailers).

We do think the application would be strengthened by including specific detail around adequate waste provision to ensure no litter arises from consumption of food and drink, or from smoking, as we know this is a long-standing problem on Egerton Crescent.

Public safety

Steps 5-6, 8, and 10-15, all demonstrate a commitment to public safety, both of those using the premises, and of local residents living near the premises.

The protection of children from harm

Steps 20-23 demonstrate an adherence to the Challenge 21 policy, and therefore a commitment to protection of children from harm through the prevention of underage drinking.

Finally, it is to be noted that one of the new owners, [REDACTED], is himself a local resident in Withington, and has a young family. He is therefore committed not only to making a success of Wilderness, but also in doing so in a way that is responsible and with due regard to other local residents, many of whom also have young families.

On the basis of the above, and with the amendment proposed under "The prevention of public nuisance", we would ask that this licence application be approved.

Kind regards.

Chris

On Mon, 1 Apr 2019 at 16:55, Premises Licensing <premises.licensing@manchester.gov.uk> wrote:

Date: 1 April 2019

Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005

Dear Sir / Madam

I am writing to notify you that a licence application has been received for a premises in **Withington** ward as follows:

Application Type: Premises Licence (new)

Reference: 229805/CT4

Premises: Wilderness Records, [9 Egerton Crescent, Manchester, M20 4PN](#)

Applicant: Wilderness Trading Limited

General description of premises as given by the applicant:

The premises currently trades and will continue to trade as a record shop. The premises currently also offers refreshments such as coffee as an additional element to this.

Proposed hours and licensable activities:

The supply of alcohol for consumption both on and off the premises:
Mon to Sun 11am to 10pm

Opening hours:
Mon to Sun 8am to 10.30pm

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

Steps to promote licensing objectives as given by the applicant:

1. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.


**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	

Premise Details

Application Ref No	229805
Name of Premises	Wilderness Records
Address	9 Egerton Crescent, Manchester, M20 4PN

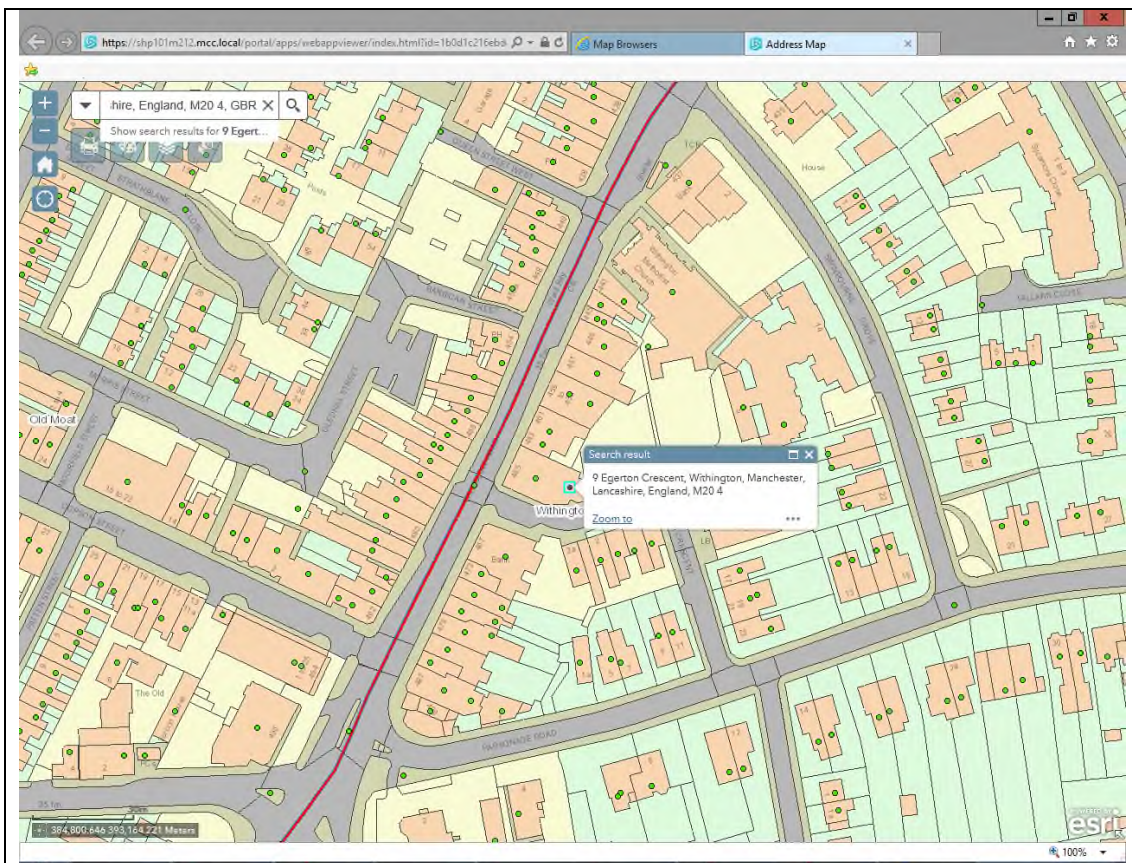
Representation

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.

Wilderness Trading Limited have submitted an application to carry out the licensable activity of the sale of alcohol from Monday to Sunday, from 11:00 to 22:00; whilst the opening hours are Monday to Sunday 08:00 to 22:30.

The licensing and out of hours team have assessed the likely impact of granting the licence application by taking into account a number of factors. These include the nature of the area in which the premises is located, the sale of alcohol as a licensable activity, the hours applied for and any potential risk that the granting of this application could lead to in terms of undermining the licensing objectives under the Licensing Act 2003. The licensing and out of ours team have also given consideration to Manchester City Council's Statement of Licensing Policy 2016-2021.

Wilderness Records is situated in a residential area on Egerton Road in Withington, Manchester which falls within the Special Policy in respect of the Withington Stress Area (please see map below).



S.5.19 of the Statement of Licensing Policy 2016-2021 states that the “Policy has been reviewed and updated and analysis of the Policy area shows that there is still a higher proportion of incidents in the area and the level of issues remain broadly consistent since the policy came into effect, with increases in victim-based crime and violent crime”.

S.5.20 additionally states “Withington is a residential area which, if not carefully planned, may attract late-night alcohol led venues that cannot set up in Fallowfield due to a Cumulative Impact Policy there. It is noted that while Withington suffers less antisocial behaviour than Fallowfield, there is evidence of problems associated with operation of licensed premises in Withington”.

The licence application makes reference to the fact that the premises currently trades as a record shop whilst offering refreshments and, if granted, the sale of alcohol will be provided in the same way. Whilst this arrangement suggests the premises might not be an alcohol-led venue from its inception, the Licensing and Out of Hours Team have concerns that the venue may well become alcohol-led in the future with extended operating hours, particularly if there is progress with the business. As Withington is already on the radar as a Stress Area and has causal links to the high levels of crime and disorder and antisocial behaviour, the Licensing and Out of Hours Team feel the granting of this licence could add to the existing problematic profile.

The licence application has further submitted that whilst this in itself is not an exceptional factor as per the Policy, the relative small size of the venue will dictate and minimize any potential impact in any case. The applicant has also advised of their existing good quality management of existing premises in Manchester such as The Liars Club and Junkyard Golf Club.

However S.5.28 of the Statement of Licensing Policy states “Departure from Policy is expected only in exceptional circumstances”.

Furthermore S.5.29 states “Exceptional circumstances will not include the quality of management or size of venue”.

By the applicant’s own admission the small size of the premises itself is not an exceptional circumstance. The small size of the premises is not a definitive factor in ensuring the Licensing Objectives are upheld and observations made by the Licensing and Out of Hours Team validate this statement further.

On Saturday 13th April 2019 at 13.30 Licensing and Out of Hours Officers visited the premises and the surrounding area. At the time of the visit the premises was busy with customers already queueing outside of the premises. Officers noted the premises is relatively small in size, perhaps having a maximum capacity size of a dozen at any one time. Officers considered if a non-alcoholic venue at the early hours of the afternoon can cause an overflow of customers, either before or after service, then there is a high likelihood of the further disruption during late hours and with the added sale of alcohol.

Under the influence of alcohol there are serious concerns about the extent of public nuisance which could occur, such as noise nuisance from the premises and noise escaping frequently from the premises as a result of regular access and egress from the premises with it being a small premises. There are also concerns around potential accumulation of waste and litter due to the potential congregation of customers outside of the premises. From observation it would appear the premises do not offer any car parking facility which could cause obstruction on the road which has limited car parking space as it is and potentially be problematic for nearby private residential parking areas as well as parking areas of nearby premises.

The applicant’s good quality management of existing establishments does not guarantee good quality management of new establishments. Each premises is assessed on its own merits and has its own factors to consider, such as the location, operating hours, licensable activities, clientele and probability of foreseeable and unforeseeable situations.

In light of the considerations made above the Licensing and Out of Hours Team feel that if this licence application were to be granted it would go against the Special Policy of the Withington Stress Area as well as potentially undermine at least 2 of the Licensing Objectives; the Prevention of Crime and Disorder and the Prevention of Public Nuisance. We therefore recommend that the application is refused.

Recommendation: Refuse Application



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

Re: Premises Licence (new) 229805/CT4: Wilderness Records, 9 Egerton Crescent, Manchester, M20 4PN (Withington ward)

1 message

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

29 April 2019 at 21:14

Dear Sirs

I am writing on behalf of Fallowfield & Withington Community Guardians to object to the license application to sell alcohol on and off the premises at Wilderness Records, 9 Egerton Crescent.

Whilst most of our residents live closer to the Fallowfield District Centre than Withington village, we were very involved in the consultation that led to the establishment of the Cumulative Impact Policy for Fallowfield. This remains the only CIP in Manchester and was necessary (and still is) because of the very high levels of noise and anti social behaviour largely attributed to alcohol consumption in conjunction with the very dense population of University students that reside here. The Withington Stress Policy was introduced to prevent Withington Village suffering similar problems.

Residents in our group are less familiar with the problems of noise and anti social behaviour associated with Withington village but many of us regularly notice much on street drinking on the pavement outside licensed premises such as Fuel & Indigo as we travel through the village along the Wilmslow Road corridor. Noisy groups of patrons are evident and therefore we feel that an additional licensed premises in Egerton Crescent, which is close to residential properties and the Methodist Church, is likely to add to noise and problems of litter in the village. Off sales of alcohol are likely to lead to on street drinking (already a problem) and more litter and broken glass. The stress policy is in place to prevent an increase in such problems which undermine the licensing objectives and add to existing problems.

Our group supports the objection of the Withington Civic Society; many Community Guardians are also members of WCS.

We ask that you refuse this license to uphold the Withington Stress Policy and prevent the increase in noise and anti social behaviour that an additional licensed premise is likely to bring to this area.

Yours

[REDACTED]

On Mon, Apr 1, 2019 at 4:55 PM Premises Licensing <premises.licensing@manchester.gov.uk> wrote:

Date: 1 April 2019**Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005**

Dear Sir / Madam

I am writing to notify you that a licence application has been received for a premises in **Withington** ward as follows:

Application Type: Premises Licence (new)**Reference:** 229805/CT4**Premises:** Wilderness Records, 9 Egerton Crescent, Manchester, M20 4PN

Wilderness Records, 9 Egerton Crescent, Manchester M20 4PN

Premises Licence Application

Reference 229805/CT4

Response on behalf of Withington Civic Society Planning Group

1. Withington Civic Society Planning Group **opposes the application.**

The Society is very keen to see new businesses in the area, and the new record shop and coffee shop are very much welcomed. However, in terms of the licence application, the key matter for consideration is Manchester City Council's Statement of Licensing Policy 2016-2021 published on 4 January 2016.

On page 29 of the policy there are the following provisions:

"Special policy in respect of Withington Stress Area

5.16 There is evidence that the promotion of the licensing objectives within an identified area of Withington is being undermined as a consequence of the operation of licensed premises in the area, having regard to the complaints of local residents and the level of crime and disorder and public nuisance within it

5.17 The licensing authority considers that although the level of problems do not currently justify the implementation of a cumulative impact and saturation policy for the area, the area is of concern and shall be kept under review

5.18 Therefore the Council has adopted a Special Policy for the area, which shall be known as the Withington Stress Area....."

There is reference to a map in Appendix 8 of the document. The relevant premises fall squarely within the designated area. The document continues....

"5.19 This Policy has been reviewed and updated analysis of the Policy area shows that there is still a higher proportion of incidents in this area and the level of issues remains broadly consistent since the policy came into effect, with increases in victim-based crime and violent crime. Although levels of antisocial behaviour, including that recorded as alcohol related, decreased in 2013/2014, it subsequently increased in 2014/2015. Therefore the authority considers it appropriate to retain the Policy for the 'Withington Stress Area' as it stands.

5.20 Withington is a residential area which, if not carefully planned, may attract late-night venues that cannot be set up in Fallowfield due to a CIP there. It is noted that while Withington suffers less antisocial behaviour than Fallowfield, there is evidence of problems associated with operation of licenced premises in Withington, and the licensing authority does not wish to see an increase in antisocial behaviour."

The document then sets out the relevant approach for new licences and material variations (page 30). After dealing with other types of establishments including premises with on-licences, the following provision is made:

	<i>Closing time</i>	<i>Approach</i>
<i>Alcohol-led venues (on-licence)</i>	<i>Up to 11.30 pm</i>	Judged according to set criteria Positive proposals for the promotion of the licensing objectives, including from departing customers, must also be demonstrated in the operating schedule. A stricter approach is likely to be taken where customers are not seated at tables and/or where a substantial food offer is not available at all times the premises are open.

2. This application seeks a licence for the sale of alcohol off the premises every day of the week from 11am till 10 pm. There must be a strong presumption against granting such a licence - in accordance with the paragraph above. Further, there is no good reason why such a licence should be granted, and to do so would be contrary to the Council's stated policy for all the reasons given.
3. It is clear that the applicant already has significant expansion plans to increase the premises to "twice the size", install a beer garden, and so on. Of relevance also are the following points:
 - Egerton Crescent is primarily a residential street and is heavily used as a walking route to and from St Paul's School AND Withington Post Office
 - The nearly adjacent Methodist Church car park is close by and heavily used in the evening by the community including for children's groups who should not have to walk past people drinking and smoking to get to those activities
 - Litter in the area is already a problem and getting worse. Parsonage Road for example is frequently littered with cans, bottles and fast food waste and packaging
 - The incidence of anti social behaviour in the immediate area is getting worse with on street drinking, late night /all night parties by young people living in HMOs.
 - The problems of for example Fallowfield are working their way into Withington. The policy mentioned above was specifically designed to avoid this happening
4. Whatever steps the applicant may take, the overwhelming probability is that the existence of yet another licensed premises in this part of Withington will only exacerbate the problems associated with such premises as identified in the Policy quoted above. **Therefore the application should be refused.**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

For and on behalf of Withington Civic Society Planning Group

26th April 2019

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

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Schedule of Licence Conditions

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

Schedule of Licence Conditions

<p>rise to a nuisance.</p> <p>16. The exterior of the building shall be cleared of litter at regular intervals.</p> <p>17. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.</p> <p>18. A Smoking and Al-Fresco Dining Policy will be implemented and adhered to (see attached).</p> <p>19. The emptying of bins into skips, and refuse collections will not take place between 10pm and 8am.</p> <p>20. A "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram.</p> <p>21. Staff training will include the Challenge 21 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.</p> <p>22. Notices advising what forms of ID are acceptable must be displayed.</p> <p>23. Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.</p>		
Conditions proposed by objectors	Agreed	Proposed by
<p>Suggestion that the application would be strengthened by including specific detail around adequate waste provision to ensure no litter arises from consumption of food and drink, or from smoking, as this is a long-standing problem on Egerton Crescent.</p> <p><i>(However please note that condition 16 proposed by the applicant does state that 'the exterior of the building shall be cleared of litter at regular intervals')</i></p>	No	Councillor Wills and Moore