



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 3 June 2019  
Time: 10.00 am (or at the rise of the Licensing Committee  
and the Licensing and Appeals Committee)  
Venue: Council Antechamber - Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

### **Access to the Council Antechamber**

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

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

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

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**Councillors** – Ludford (Chair), Jeavons and Lynch.

## Agenda

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**1. Urgent Business**

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

**2. Appeals**

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

**3. Interests**

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

**4. Application for a New Premises Licence for Over Under 111 Deansgate, Manchester, M3 2BQ.**

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

## Information about the Committee

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

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

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

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

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

Smoking is not allowed in Council buildings.

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

## Further Information

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

Beth Morgan  
Tel: 0161 234 3043  
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This agenda was issued on **Thursday, 23 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 – 3 June 2019  
**Subject:** Over Under, 111 Deansgate, Manchester, M3 2BQ - App ref: Premises Licence (new)230186

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

**Summary**

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

**Recommendations**

That the Panel determine the application.

**Wards Affected:**

Deansgate

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

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

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

Equal Opportunities Policy  
Risk Management  
Legal Considerations

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### **Financial Consequences – Revenue**

None

### **Financial Consequences – Capital**

None

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### **Contact Officers:**

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

Name: Bryan Johnson  
Position: Technical Licensing Officer  
Telephone: 0161 234 1248  
E-mail: b.johnson@manchester.gov.uk

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

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

## 1. **Introduction**

- 1.1 On 09/04/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Over Under, 111 Deansgate, Manchester, M3 2BQ 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 Over Under Coffee Ltd.
- 2.3 The description of the premises by the applicant is:
  - 2.3.1 *'The premises will be a small café, approximately 400sq ft. They will provide coffee, soft drinks and substantial food.'*
- 2.4 The proposed designated premises supervisor is Cameron James Parry.
- 2.5 **The licensable activities applied for:**

Provision of late night refreshment:  
Mon to Sat 11pm to 11.30pm

The supply of alcohol for consumption both on and off the premises:  
Mon to Fri 11am to 11.30pm  
Saturday 10am to 11.30pm  
Sunday 10am to 7pm

Opening hours:  
Mon to Fri 6.30am to Midnight  
Saturday 6.30am to Midnight  
Sunday 6.30am to 7.30pm

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

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

## 2.6 **Activities unsuitable for children**

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

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

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

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

## 3. **Relevant Representations**

3.1 A total of 2 relevant representations were received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

### Responsible Authorities:

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

3.2 Summary of the representations:

| Party  | Grounds of representation  | Recommends            |
|--|--|-----------------------|
| <b>Licensing and Out of Hours Compliance</b> | Due to the location of the premises (fronting on to Deansgate close to the junction with Bridge Street) and the high volume of pedestrians passing immediately in front of the premises, LOOH are concerned that there exists the potential for issues relating to the escape of litter and waste from the premises and also public nuisance via customers smoking immediately outside the premises. | Grant with conditions |



|                          |   |                       |
|--------------------------|---|-----------------------|
|                          | To alleviate LOOH's concerns regarding the aforementioned, specific conditions are being put forward via their representation that it is believed will address and promote the Licensing Objective in regard to the prevention of public nuisance.  |                       |
| <b>Trading Standards</b> | The Trading Standards Service are concerned that the applicant has not shown sufficient clarity via their application as to how the premises intends to prevent the sale of alcohol to underage persons. To allay their concerns in regard to this matter The Trading Standards Service are requesting the addition of a condition with specific reference to the enforcement and application of the 'Challenge 25' Policy at the premises. | 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.

#### ***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.

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Over Under  
111 Deansgate, Manchester, M3 2BQ

Premises Licensing  
Manchester City Council

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Survey100019568.





|                         |                                   |
|-------------------------|-----------------------------------|
| <b>PREMISE NAME:</b>    | Over Under                        |
| <b>PREMISE ADDRESS:</b> | 111 Deansgate, Manchester, M3 2BQ |
| <b>WARD:</b>            | Deansgate                         |
| <b>HEARING DATE:</b>    | 03/06/2019                        |



## 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 Over Under Coffee 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<br><b>111 Deansgate,</b> |            |                 |        |
| <b>Post town</b>  | Manchester | <b>Postcode</b> | M3 2BQ |

|   |            |
|---|------------|
| Telephone number at premises (if any)   | [REDACTED] |
| Non-domestic rateable value of premises | £29500     |

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

**(B) OTHER APPLICANTS**

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

|  |
|--|
| Name<br>Over Under Coffee Ltd  |
| Address<br>Flat 4, 66 Hammersmith Grove, London, W6 7HA  |
| Registered number (where applicable)<br>10392769   |
| Description of applicant (for example, partnership, company, unincorporated association etc.)<br>Limited Company |

|   |
|---|
| Telephone number (if any)<br>[REDACTED] |
| E-mail address (optional)<br>[REDACTED] |

**Part 3 Operating Schedule**

When do you want the premises licence to start?

| DD | MM | YYYY    |
|----|----|---------|
| 00 | 10 | 0520019 |

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 will be a small café, approximately 400sqft. They will provide coffee, soft drinks and substantial food. The purpose of the application is to provide:

- 1) A small range of wines and beers to customers for consumption off the premises
- 2) A small range of cocktails/wines and beers to customers for consumption at the premises
- 3) Late Night refreshment

There will be no other licensable activities

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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



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



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

**A**

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

**B**

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

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



**D**

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

**E**

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

**F**

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

**G**

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

**H**

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

**I**

|  |       |        |  |          |                                     |
|--|-------|--------|--|----------|-------------------------------------|
| <b>Late night refreshment</b><br>Standard days and timings (please read guidance note 7) |       |        | <b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)   | Indoors  | <input checked="" type="checkbox"/> |
|  |       |        |  | Outdoors | <input type="checkbox"/>            |
|  |       |        |  | Both     | <input type="checkbox"/>            |
| Day  | Start | Finish | <b>Please give further details here</b> (please read guidance note 4)  |          |                                     |
| Mon  | 23.00 | 23.30  |  |          |                                     |
|  |       |        |  |          |                                     |
| Tue  | 23.00 | 23.30  |  |          |                                     |
|  |       |        |  |          |                                     |
|  |       |        |  |          |                                     |
| Wed  | 23.00 | 23.30  | <b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)   |          |                                     |
|  |       |        |  |          |                                     |
|  |       |        |  |          |                                     |
| Thur   | 23.00 | 23.30  |  |          |                                     |
|  |       |        |  |          |                                     |
|  |       |        |  |          |                                     |
| Fri  | 23.00 | 23.30  | <b>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</b> (please read guidance note 6) |          |                                     |
|  |       |        |  |          |                                     |
|  |       |        |  |          |                                     |
| Sat  | 23.00 | 23.30  |  |          |                                     |
|  |       |        |  |          |                                     |
|  |       |        |  |          |                                     |
| Sun  |       |        |  |          |                                     |
|  |       |        |  |          |                                     |

# J

|   |       |        |   |  |                  |                                     |
|---|-------|--------|---|--|------------------|-------------------------------------|
| <b>Supply of alcohol</b><br>Standard days and timings (please read guidance note 7) |       |        | <b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)  |  | On the premises  | <input type="checkbox"/>            |
|   |       |        |   |  | Off the premises | <input type="checkbox"/>            |
|   |       |        |   |  | Both             | <input checked="" type="checkbox"/> |
| Day   | Start | Finish | <b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)  |  |                  |                                     |
| Mon   | 11:00 | 23:30  |   |  |                  |                                     |
|   |       |        |   |  |                  |                                     |
| Tue   | 11:00 | 23:30  |   |  |                  |                                     |
|   |       |        |   |  |                  |                                     |
| Wed   | 11:00 | 23:30  |   |  |                  |                                     |
|   |       |        |   |  |                  |                                     |
| Thur  | 11:00 | 23:30  |   |  |                  |                                     |
|   |       |        |   |  |                  |                                     |
| Fri   | 11:00 | 23:30  |   |  |                  |                                     |
|   |       |        |   |  |                  |                                     |
| Sat   | 10:00 | 23:30  |   |  |                  |                                     |
|   |       |        |   |  |                  |                                     |
| Sun   | 10:00 | 19:00  |   |  |                  |                                     |
|   |       |        |   |  |                  |                                     |
|   |       |        | <b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6) |  |                  |                                     |

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

|  |            |
|--|------------|
| <b>Name</b> Cameron James Parry  |            |
| <b>Date of birth</b>   | [REDACTED] |
| <b>Address</b><br>[REDACTED]   |            |
| <b>Postcode</b>  | [REDACTED] |
| <b>Personal licence number (if known)</b><br>PERS3201                  |            |
| <b>Issuing licensing authority (if known)</b><br>Cheshire East 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**

|   |       |        |  |
|---|-------|--------|--|
| <b>Hours premises are open to the public</b><br>Standard days and timings (please read guidance note 7) |       |        | <b><u>State any seasonal variations</u></b> (please read guidance note 5)  |
| Day   | Start | Finish | <b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 6) |
| Mon   | 06:30 | 00:00  |  |
|   |       |        |  |
| Tue   | 06:30 | 00:00  |  |
|   |       |        |  |
| Wed   | 06:30 | 00:00  |  |
|   |       |        |  |
| Thur  | 06:30 | 00:00  |  |
|   |       |        |  |
| Fri   | 06:30 | 00:00  |  |
|   |       |        |  |
| Sat   | 06:30 | 00:00  |  |
|   |       |        |  |
| Sun   | 06:30 | 19:30  |  |
|   |       |        |  |



## 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)**

The proposed conditions cover CCTV, the provision of substantial food, the training of staff and the maintenance of an incident log. The DPS will provide his mobile telephone number to local residents in the even they have any concerns. Signage will also be placed inside and outside the premises advising customers to respect local residents and to leave quietly.

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

A comprehensive schedule of conditions has been drafter and is appended to this application. IThe proposed conditions cover CCTV, the provision of substantial food, the training of staff and the maintenance of an incident log. The DPS will provide his mobile telephone number to local residents in the even they have any concerns. Signage will also be placed inside and outside the premises advising customers to respect local residents and to leave quietly

**c) Public safety**

All Staff will receive appropriate training in licensing, fire safety, food hygiene and health and safety.

**d) The prevention of public nuisance**

Prominent signage will also be placed inside and outside the premises advising customers to respect local residents and to leave quietly. The DPS will make his mobile number available to local residents should any issues arise

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

All staff shall receive licesing training and records shall be retained at the premises for inspection by licensing officers. Arefusal and incident log shall be maintained at the premises.

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

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


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

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

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






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

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

|           |  |
|-----------|--|
|           | 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      | 01/04/2019   |
| Capacity  | Director of Applicant company  |

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

|           |  |
|-----------|--|
| Signature |  |
| Date      |  |
| Capacity  |  |

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

OVER AND UNDER COFFEE LTD

111 DEANS GATE

MANCHESTER, M3 2BQ

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PROPOSED CONDITIONS

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- (i) Appropriate signage shall be displayed, in a prominent position, informing customers they are being recorded on CCTV.
- (ii) There shall be CCTV in operation at the premises and;
  - a) a member of staff who has been nominated in writing and who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public.
  - b) if the premises are not open, and subject to the tests set out by virtue of the Data Protection Act, within 24 hours of a request for access to the CCTV system from either the police or licensing authority, this staff member must be able to show a Police, HMRC or authorised council officer recent data or footage with the absolute minimum of delay when requested.
  - c) all recordings shall be stored for a minimum period of 31 days with date and time stamping.
  - d) recordings shall be made available immediately upon the request of a Police or Licensing officer throughout the preceding 31-day period.
  - e) the CCTV system shall be maintained according to the current Home Office specification for premises of this type.
  - f) should the equipment become faulty then the Greater Manchester Police Force will be notified by e mail and all reasonable efforts made to have any fault rectified within 24 hours.
- (iii) Substantial food and non-alcoholic beverages, including drinking water, shall be available to customers throughout the permitted hours for the sale of alcohol.
- (iv) All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence.
- (v) Written records of staff training in the Licensing Act 2003 shall be retained and made available to police and authorised officers of the Licensing Authority on request.

- (vi) Staff shall receive refresher training in the Licensing Act 2003 at intervals of no more than 12 months.
- (vii) Signed and dated records shall be kept of all staff training and such records kept available for inspection at the premises for a period of at least one calendar year from the last date of entry.
- (viii) A daily incident log shall be kept at the premises for a period of at least 12 months from the date of last entry, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received
  - (d) any incidents of disorder
  - (e) any faults in the CCTV repaired within 24hrs
  - (f) any refusal of the sale of alcohol
  - (g) any visit by a relevant authority or emergency service.
  - (h) any lost property found or handed to staff at the premises.
  - (i) any other relevant incidents to be recorded.

The log shall be available for inspection upon request by the police or an authorised officer of the Licensing Authority at all times the premises are open

- (ix) The Licensee shall ensure that clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
- (x) There shall be a minimum of one personal licence holder(s) on duty on the premises at all times when the premises are authorised to sell alcohol.
- (xiii) The consumption of alcohol on the premises shall cease, the Premises shall close to patrons and all patrons shall be off the Premises, no later than 30 minutes after the end of the permitted hours for the sale by retail of alcohol on the Premises.
- (ix) A dedicated telephone number for the Designated Premises Supervisor or the duty manager shall be maintained for use by any person who wish to make a complaint during the operation of the licence, which shall be provided to the Licensing Authority and local residents' associations. Any change to the number shall be notified to the Licensing Authority and to local residents' associations within 7 days of such change.

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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**
**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 230186                        |
| Name of Premises   | Over Under                        |
| Address            | 111 Deansgate, Manchester, M3 2BQ |

**Representation**

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

The Licensing and Out of Hours team (LOOHT) have assessed the likely impact of granting a licence at the above premises, taking into account a number of factors and the licensing objectives.

The premises is situated on the ground floor along Deansgate in a former retail premises. The surrounding area is a mix of retail units, offices and licensed premises. The premises is very close to a busy road junction of Bridge Street and Deansgate and is regularly congested with pedestrians on the public highway at busy times to the front of the premises.

The LOOHT have a number of concerns that the granting of this licence could lead to issues of public nuisance, in particular with litter and waste escaping from the premises and feel the applicant has not made reference to how they will uphold the licensing objective prevention of public nuisance. LOOHT propose the following conditions which would alleviate any concerns relating to the escape of litter and waste and potential of noise nuisance caused from customers smoking outside the premises.

1. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
2. Notices shall be prominently displayed at any area used for smoking, requesting patrons to respect the needs of local residents and use the area quietly.
3. All takeaway packaging and wrappers shall clearly identify the premises by way of a company logo or name.
4. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.
5. Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.
6. All waste shall be properly presented and placed out for collection no

earlier than two hours before the scheduled collection times.

7. The designated smoking area shall be enclosed within appropriate barriers to ensure the footway is kept clear with a maximum of five customers at one time.

LOOHT believe these extra conditions are proportionate and necessary to ensure the licensing objective, prevention of public nuisance is upheld.

Recommendation: Approve with Conditions (Outlined Above)

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

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

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| <b>ABOUT THE PREMISES</b>  |
| <b>Application Ref No. (if known):</b>   |
| LAK230186  |
| <b>Name of the Premises about which you would like to make a representation:</b> |
| Over Under Coffee Ltd  |
| <b>Address of the Premises (including postcode if known):</b>                    |
| 111 Deansgate Manchester M3 2BQ  |

|  |
|--|
| <b>YOUR REPRESENTATION</b>   |
| <b>Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)</b>  |
| <p>With the exception of a challenge policy, the application is of a good standard</p> <p>The challenge 25 policy is widely accepted throughout the trade, as a vital tool to help ensure minors are unable to purchase alcohol, the applicant has failed to inform trading standards how the challenge 25 policy would be implemented</p> <p>As a responsible authority, we would expect the applicant to give a comprehensive list of steps as to how they will ensure the requirements of the challenge 25 policy are met</p> <p>The applicant has given no explanation of how they will show all due diligence in how to prevent the sale of alcohol to persons under the age of 18</p> <p>There are a number of robust procedures that can be implemented to help prevent or minimise underage sales of alcohol, thus promoting the licensing objectives. The applicant has also failed to mention acceptable</p> |

forms of identification that will be accepted

Therefore the Trading Standards Service request the following condition 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

**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 )

## Schedule of Licence Conditions

| Conditions consistent with the operating schedule   | Agreed | Proposed by |
|---|--------|-------------|
| <ol style="list-style-type: none"> <li>1. Appropriate signage shall be displayed, in a prominent position, informing customers they are being recorded on CCTV.</li> <li>2. There shall be CCTV in operation at the premises and;               <ol style="list-style-type: none"> <li>a) a member of staff who has been nominated in writing and who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public.</li> <li>b) if the premises are not open, and subject to the tests set out by virtue of the Data Protection Act, within 24 hours of a request for access to the CCTV system from either the police or licensing authority, this staff member must be able to show a Police, HMRC or authorised council officer recent data or footage with the absolute minimum of delay when requested.</li> <li>c) all recordings shall be stored for a minimum period of 31 days with date and time stamping.</li> <li>d) recordings shall be made available immediately upon the request of a Police or Licensing officer throughout the preceding 31-day period.</li> <li>e) the CCTV system shall be maintained according to the current Home Office specification for premises of this type.</li> <li>f) should the equipment become faulty then the Greater Manchester Police Force will be notified by e mail and all reasonable efforts made to have any fault rectified within 24 hours.</li> </ol> </li> <li>3. Substantial food and non-alcoholic beverages, including drinking water, shall be available to customers throughout the permitted hours for the sale of alcohol.</li> <li>4. All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence.</li> <li>5. Written records of staff training in the Licensing Act 2003 shall be retained and made available to police and authorised officers of the Licensing Authority on request.</li> <li>6. Staff shall receive refresher training in the Licensing Act 2003 at intervals of no more than 12 months.</li> <li>7. Signed and dated records shall be kept of all staff training and such records kept available for inspection at the premises for a period of at least one calendar year from the last date of entry.</li> <li>8. A daily incident log shall be kept at the premises for a period of at least 12 months from the date of last entry, which will record the following:</li> </ol> | N/A    | Applicant   |

## Schedule of Licence Conditions

| <p>a) all crimes reported to the venue<br/> b) all ejections of patrons<br/> c) any complaints received<br/> d) any incidents of disorder<br/> e) any faults in the CCTV repaired within 24hrs<br/> f) any refusal of the sale of alcohol<br/> g) any visit by a relevant authority or emergency service.<br/> h) any lost property found or handed to staff at the premises.<br/> i) any other relevant incidents to be recorded.</p> <p>The log shall be available for inspection upon request by the police or an authorised officer of the Licensing Authority at all times the premises are open.</p> <p>9. The Licensee shall ensure that clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.</p> <p>10. There shall be a minimum of one personal licence holder(s) on duty on the premises at all times when the premises are authorised to sell alcohol.</p> <p>11. The consumption of alcohol on the premises shall cease, the Premises shall close to patrons and all patrons shall be off the Premises, no later than 30 minutes after the end of the permitted hours for the sale by retail of alcohol on the Premises.</p> <p>12. A dedicated telephone number for the Designated Premises Supervisor or the duty manager shall be maintained for use by any person who wish to make a complaint during the operation of the licence, which shall be provided to the Licensing Authority and local residents' associations. Any change to the number shall be notified to the Licensing Authority and to local residents' associations within 7 days of such change.</p> |        |                               |
|--|--------|-------------------------------|
|  |        |                               |
| Conditions proposed by objectors   | Agreed | Proposed by                   |
| <p>13. The 'Challenge 25' Scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo-card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram.</p>   | No     | The Trading Standards Service |
| <p>14. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.</p> <p>15. Notices shall be prominently displayed at any area used for smoking, requesting patrons to respect the needs of local residents and use the area quietly.</p>   | No     | Licensing and Out of Hours    |

## Schedule of Licence Conditions

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| <p>16. All takeaway packaging and wrappers shall clearly identify the premises by way of a company logo or name.</p> <p>17. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.</p> <p>18. Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.</p> <p>19. All waste shall be properly presented and placed out for collection no earlier than two hours before the scheduled collection times.</p> <p>20. The designated smoking area shall be enclosed within appropriate barriers to ensure the footway is kept clear with a maximum of five customers at one time.</p> |  |  |
|--|--|--|

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