



Licensing Sub Committee Hearing Panel

Date: Monday, 1 July 2019

Time: 10.00 am

Venue: Council Chamber, Level 2, Town Hall Extension
Manchester City Council

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 – T Judge (Chair), Lynch and Lyons

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. Temporary Event Notice - Road outside New York New York, 98 Bloom Street, Manchester, M1 3LY

5 - 26

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

5. Application for New Premises Licence - Cafe/Bar (Name to be confirmed), 67 Church Road, Manchester, M22 4WD

27 - 128

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

6. Application for a New Premises Licence - Wolf Italian Street Food, Unit G23, 1 Spinningfields Square, Manchester, M3 3AP

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Determination is enclosed.

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
Level 3, Town Hall Extension,
Albert Square,
Manchester, M60 2LA

Further Information

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

Andrew Woods
Tel: 0161 234 3043
Email: andrew.woods@manchester.gov.uk

This agenda was issued on **Thursday, 20 June 2019** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 24 June 2019

Subject: Road outside New York New York, 98 Bloom Street, Manchester, M1 3LY - ref: LTN233043

Report of: Head of Planning, Building Control & Licensing

Summary

Submission of a temporary event notice where an objection notice has been given.

Recommendations

That the Panel consider the objection notice(s) and give a counter notice where it considers it appropriate.

Wards Affected: Piccadilly

| 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

Financial Consequences – Revenue: None

Financial Consequences – Capital: None

Contact Officers:

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

Name: Ashia Maqsood
 Position: Technical Licensing Officer
 Telephone: 0161 234 4139
 E-mail: a.maqsood@manchester.gov.uk

Background documents (available for public inspection):

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

1. **Introduction**

- 1.1 On 6 June 2019, a temporary event notice (TEN) was given under s100A of the Licensing Act 2003 in respect of the road outside New York New York, 98 Bloom Street, Manchester, M1 3LY in the Piccadilly ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 In accordance with Licensing Act 2003 regulations, Greater Manchester Police (GMP) and Licensing Out of Hours Compliance (LOOH) were notified of the TEN.
- 1.3 Where either GMP or LOOH is satisfied that allowing the premises to be used in accordance with the TEN would undermine a licensing objective, they must give an objection notice to the relevant licensing authority, the premises user, and to every other relevant person.
- 1.4 The objection notice must be given no later than three working days after the day on which the objector is given the TEN.
- 1.5 An objection notice has been received in respect of this TEN and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. **The Notice**

- 2.1 A copy of the TEN is attached at **Appendix 2**.
- 2.2 The premises user is Tracey Walsh.
- 2.3 The description of the event is: External Bar during Manchester Pride weekend.
 - 2.3.1 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 TEN.
 - 2.3.2 Any further details provided relating to any of the individual licensable activities are specified on the TEN at **Appendix 2**.
- 2.4 **Activities unsuitable for children**
 - 2.4.1 The premises user 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.
- 2.5 **Further documentation accompanying the application**
 - 2.5.1 The premises user has not submitted documents in support of the TEN

3. **Objection Notice(s)**

- 3.1 An objection notice was received from GMP and from LOOH in respect of the TEN (**Appendix 3**).
- 3.2 Summary of the objections:

| Party | Grounds of representation | Recommends |
|--|--|------------------------|
| GMP | GMP objects to the grant of this Temporary Event Notice (TEN) on the grounds that the grant of this application will undermine the licensing objectives the Prevention of Crime and Disorder, Public Safety and the Prevention of Public Nuisance. GMP state that approximately 40,000 people attend the Pride event and Bloom Street becomes extremely congested They state that additional queueing for a bar will cause further congestion, especially with venues increasingly having outside entertainment. | Serve a counter notice |
| Licensing and Out of Hours Compliance | LOOH object to the grant of the Temporary event notice based on the grounds that he application will likely lead to issues of public nuisance and public safety and potential harm to children. LOOH state that during the Pride Weekend the location of the proposed bar and any other staging and events in the immediate area has the potential to cause an impasse on the highway meaning emergency and event vehicles would not be able to move freely. There will also be associated litter from people disposing of single-use plastic cups on the highway. LOOH further state that the application does not satisfy steps that will be taken to prevent proxy sales, which will be difficult to consistently manage in an open, busy, noisy space. LOOH also state that that the application does not give sufficient details of how the area will be managed. | Serve a counter notice |

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 Where the authority considers that to impose on the TEN one or more of the conditions from a premises licence or club premises certificate in force at the

premises (insofar as such conditions are not inconsistent with the event) is appropriate for the promotion of the licencing objectives, the policy is to give notice to the premises user that includes a statement of the conditions imposed. Copies of this notice will be provided for GMP and LOOH.

- 4.5.5 Where, following any representations at the hearing, the licensing authority is not satisfied the event will ensure the promotion of the licensing objectives, the policy is to issue a counter-notice against the Temporary Event Notice.

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 objections that have been received from GMP or LOOH, 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 objection notice(s), the panel must give the premises user a counter notice if it considers it appropriate for the promotion of a licensing objective to do so.
- 4.9 If the panel decides not to give a counter notice the panel may impose one or more conditions on the TEN if –
- the authority considers it appropriate for the promotion of the licensing objectives to do so,
 - the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and
 - the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.
- 4.10 All licensing determinations should be considered on the individual merits of the notification.
- 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 temporary event notice**

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Terms Privacy

| | |
|-------------------------|-------------------------------------|
| PREMISE NAME: | Road outside New York New York |
| PREMISE ADDRESS: | 98 Bloom Street, Manchester, M1 3LY |
| WARD: | Piccadilly |
| HEARING DATE: | 24/06/2019 |

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Temporary Event Notice

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

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

| | | | |
|--|---|--------------------------------|-------------------------------|
| 1. The personal details of premises user (Please read note 1) | | | |
| 1. Your name | | | |
| Title | Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms X Other (please state) | | |
| Surname | Walsh | | |
| Forenames | Tracey | | |
| 2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary) | | | |
| Title | Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) | | |
| Surname | | | |
| Forenames | | | |
| 3. Your date of birth | | Month <input type="checkbox"/> | Year <input type="checkbox"/> |
| 4. Your place of birth | | Hertfordshire | |
| 5. National Insurance Number | | <input type="checkbox"/> | |
| 6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below) | | | |
| <input type="checkbox"/> | | | |
| <input type="checkbox"/> | | | |
| Post town <input type="checkbox"/> | | <input type="checkbox"/> | |
| 7. Other contact details | | | |
| Telephone numbers | <input type="checkbox"/> | | |
| Daytime | <input type="checkbox"/> | | |
| Evening (optional) | <input type="checkbox"/> | | |
| Mobile (optional) | <input type="checkbox"/> | | |
| Fax number (optional) | <input type="checkbox"/> | | |
| E-Mail address (if available) | <input type="checkbox"/> | | |
| 8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you) | | | |
| Kuit Steinart Levy LLP 3 St Mary's Parsonage | | | |
| Post town Manchester | | Postcode M3 2RD | |
| 9. Alternative contact details (if applicable) | | | |

| | |
|--|------------|
| Telephone numbers: Daytime Evening (optional) Mobile (optional) | ██████████ |
| Fax number (optional) | |
| E-Mail address (if available) | ██████████ |
| 2. The premises | |
| Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2) | |
| The TEN relates to an external bar to be situated on the road directly outside the premises known as New York New York on 94-98 Bloom Street, Manchester, M1 3LY, as shown in red on the attached plan. | |
| Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below. | |
| Premises licence number | |
| Club premises certificate number | |
| If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3) | |
| External Bar on the road directly outside of the premises known as New York New York, as shown in red on the attached plan. | |
| Please describe the nature of the premises below. (Please read note 4) | |
| Bar | |
| Please describe the nature of the event below. (Please read note 5) | |
| The purpose of this notification is to allow the sale of alcohol over the Manchester Pride weekend as follows: <ul style="list-style-type: none"> - Friday 23rd August 2019 from 12:00 until 22:00 - Saturday 24th August 2019 from 12:00 until 22:00 - Sunday 25th August 2019 from 12:00 until 22:00 - Monday 26th August 2019 from 12:00 until 22:00 Throughout the duration of the event on each day there will be an SIA registered door supervisor present at the bar and Challenge 21 will be operated in respect of the sale of alcohol. The member of bar staff on duty will be a personal licence holder at all times. Drinks will be served in non-glass vessels. | |

| 3. The licensable activities | | |
|---|-----------------------|--------------------------|
| Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6) | | |
| The sale by retail of alcohol | | X |
| The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club | | <input type="checkbox"/> |
| The provision of regulated entertainment | | |
| The provision of late night refreshment | | <input type="checkbox"/> |
| Are you giving a late temporary event notice? (Please read note 7) | | |
| Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8) | | |
| <ul style="list-style-type: none"> - Friday 23rd August 2019 - Saturday 24th August 2019 - Sunday 25th August 2019 - Monday 26th August 2019 | | |
| Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9) | | |
| 12:00 until 22:00 each day. | | |
| Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10) | | 499 |
| If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11) | On the premises only | <input type="checkbox"/> |
| | Off the premises only | <input type="checkbox"/> |
| | Both | X |

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 12)
N/A

| 4. Personal licence holders (Please read note 13) | | |
|---|----------|--------------------------------|
| Do you currently hold a valid personal licence? (Please tick) | Yes X | No <input type="checkbox"/> |
| If "Yes" please provide the details of your personal licence below. | | |
| Issuing licensing authority | Salford | |
| Licence number Date of issue Date of expiry Any further relevant details | 035758 | |

| 5. Previous temporary event notices you have given (Please read note 14 and tick the boxes that apply to you) | | |
|--|---------------------------------|---------|
| Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? | Yes <input type="checkbox"/> | No X |
| If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year | | |
| Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? | Yes <input type="checkbox"/> | No X |

| 6. Associates and business colleagues (Please read note 15 and tick the boxes that apply to you) | | |
|--|---------------------------------|---------|
| Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? | Yes <input type="checkbox"/> | No X |
| If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year. | | |
| Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? | Yes <input type="checkbox"/> | No X |
| Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? | Yes <input type="checkbox"/> | No X |
| If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year. | | |
| Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? | Yes <input type="checkbox"/> | No X |

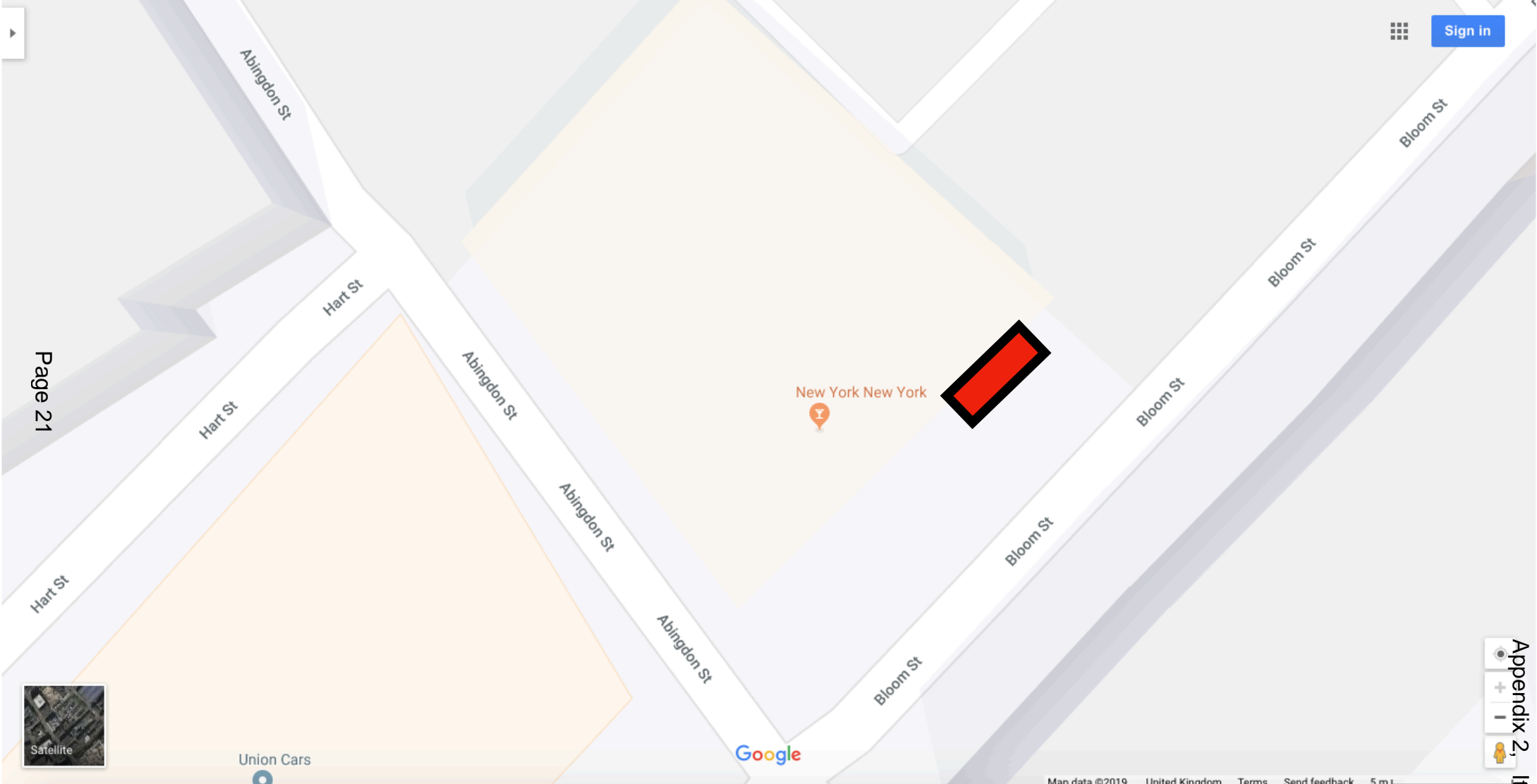
| 7. Checklist (Please read note 16) | |
|--|---|
| I have: (Please tick the appropriate boxes) | |
| Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated | X |
| Sent a copy of this notice to the chief officer of police for the area in which the premises are situated | X |
| Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated | X |
| If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority | X |
| If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police | X |
| If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions | X |
| Made or enclosed payment of the fee for the application | X |
| Signed the declaration in Section 9 below | X |

| 8. Condition (Please read note 17) |
|---|
| It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user. |

| 9. Declarations (Please read note 18) | |
|--|----------------------------------|
| <p>The information contained in this form is correct to the best of my knowledge and belief. I understand that it is an offence:</p> <p>(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; and</p> <p>(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.</p> | |
| Signature | Kuit Steinart Levy LLP |
| Date | 6 th June 2019 |
| Name of Person signing | Solicitors and authorised agents |

For completion by the licensing authority

| 10. Acknowledgement (Please read note 19) | |
|---|--------------------------------------|
| I acknowledge receipt of this temporary event notice. | |
| Signature | On behalf of the licensing authority |
| Date | |
| Name of Officer signing | |



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Appendix 2,



Union Cars

Google

From: Laura Tracey [REDACTED] >

Date: Fri, 7 Jun 2019 at 15:51

Subject: RE: External Bar outside New York, New York, Manchester - Application for TEN (WAL40/10)

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

Cc: [REDACTED]

Hi Ashia,

Further to our telephone conversation this afternoon our client has confirmed that the TEN for the charity event on 22nd August is across the road opposite the premises. This is simply for regulated entertainment as there will be no bar. We have asked our client for a plan to clarify the area where this TEN will be taking place and you should have this next week.

For completeness, we confirm that the external bar in respect of the other TEN for 23rd-26th August (as submitted yesterday) is in a completely different area on the road outside the premises.

I confirm my understanding that the consultation period for the latter TEN has now also started today and I look forward to receiving the payment link next Monday.

Kind regards

Laura

GREATER MANCHESTER POLICE



To: Manchester City Council
Licensing Unit
Manchester Town Hall Extension
Lloyd Street
Manchester

To: Ms Tracey Walsh



13th June 2019

Dear Madam

Please accept this letter as formal notification that Greater Manchester Police wish to object, under Section 104(2) of the Licensing Act 2003, to the **TEMPORARY EVENT NOTICE** detailed below, as we are satisfied that granting the application under these circumstances would undermine the Licensing Objectives.

| PREMISES NAME: | Road outside premises |
|-----------------------|---|
| ADDRESS: | New York New York 98 Bloom Street, Manchester M1 3LY |
| DATE OF EVENT: | 23/08/19 – 26/08/19 |
| TIME OF EVENT: | 1200 - 2200 hrs |

GMP objects to the grant of this Temporary Event Notice on the grounds of the Prevention of Crime and Disorder, Public Safety and the Prevention of Public Nuisance.

The premises have applied for an outside bar on Bloom Street during Pride. Other premises within the Pride footprint respect our informal agreement to not have outside bars selling directly onto the street – this has been an ongoing agreement for many years and is fully supported by the Pride organisers and other venues.

The main reason for this is the Public Safety objective – approximately 40,000 people attend the Pride event on Saturday and Sunday and Bloom Street becomes extremely congested - additional queueing for a bar will cause further congestion, especially with venues increasingly having outside entertainment such as dancers, singers etc causing further congestion in that area.

GREATER MANCHESTER POLICE

Allowing this TEN is likely to cause a ripple effect of other venues applying to serve alcohol onto Bloom Street which could harm Public Safety and Crime & Disorder objectives.

As such we ask that this TEN application is refused.

Signed:.....PC 17659 Isherwood..... (rank/pin/name)

Date/Time 13th June 2019 0705 hrs

.....



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

| | |
|------------------|---|
| Name | Niall Johnson |
| Job Title | Neighbourhood Compliance Officer |
| Department | Licensing and Out of Hours Compliance Team |
| Address | Level 1, Town Hall Extension, Manchester, M60 2LA |
| Email Address | Niall.johnson@manchester.gov.uk |
| Telephone Number | 0161 234 1220 |

Premise Details

| | |
|--------------------|-------------------------------------|
| Application Ref No | 233043 |
| Name of Premises | New York New York |
| Address | 98 Bloom Street, Manchester, M1 3LY |

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 have assessed the likely impact of the grant of this temporary event. Taking into account a numbers of factors including the nature of the area, hours applied for and any risk that the granting of this temporary event could likely involve.

The premises is on Bloom Street within the area of the Village that will be enclosed for Pride 2019, however, open to the general public.

The application is for the supply of alcohol only, directly outside of the premises during Manchester Pride. The premises propose to place a bar on the pavement, accessible to passing customers and persons taking advantage of the on-street entertainment.

As a result of this assessment we have concerns that the grant of this application is likely to lead to issues of public nuisance, public safety and the prevention of children from harm.

The flow of people coming through the security entrance on Bloom Street from Princess Street, particularly following the Pride Parade and people moving to/from the food court (old main stage arena) and particularly as a main arterial route through to Canal/Sackville/Richmond Street will likely become very congested, similar to previous years. This congestion will be further exasperated by the addition of an external bar and the likely queues that are associated with an external bar. Due to the location of the proposed bar and any other staging and events in the immediate area this also has the potential to cause an impasse on the highway meaning emergency and event vehicles would not be able to move freely.

There will also be associated litter from people disposing of single-use plastic cups on the highway.

The application does not satisfy steps that will be taken to prevent proxy sales, which will be difficult to consistently manage in an open, busy, noisy space.

The Temporary Event Notice states that there will be 499 people attending including staff. While I appreciate this is given as the maximum number allowed by a Temporary Event Notice it is unclear how people will be moved on if the area becomes overcrowded or where the premises will include as their designated responsibility or how the queuing system will work. A significant queue may also put additional pressure on the bar staff to consider speed a priority, rather than consistent and satisfactory I.D checks, undermining the protection of children from harm objective. There is no reference as to how security will operate within this area, this has potential to put greater pressure on the agencies such as Show Sec and St Johns Ambulance who have been brought in by Pride organisers to facilitate smooth running of the Pride event.

This temporary event will likely undermine the objective of Prevention of Public Nuisance, Public Safety and Protection of Children from Harm.

I believe that the granting of this temporary event notice would be counterproductive to the Manchester Standards to promote licensing objectives-

MS1, MS7, MS9 and MS12.

Recommendation: Reject T.E.N

**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 1 July 2019

Subject: Cafe/Bar (Name to be confirmed), 67 Church Road, Manchester, M22 4WD - App ref: Premises Licence (new) 231199

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.

Ward Affected: Northenden

| 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

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
Licensing Act 2003 (Hearings) Regulations 2005
Any further documentary submissions by any party to the hearing

1. **Introduction**

- 1.1 On 29/04/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Cafe/Bar (Name to be confirmed), 67 Church Road, Manchester, M22 4WD in the Northenden 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 including a plan of the premises is attached at **Appendix 2**.
- 2.2 The applicant is DLD Properties Ltd.
- 2.3 The description of the premises by the applicant is a café/bar.
- 2.4 The proposed designated premises supervisor is John Rogers
- 2.5 **The licensable activities applied for:**

Provision of late night refreshment:

Sun to Thu 11pm to 1130pm, Fri to Sat 11pm to 1230am

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

Sun to Thu 10am to 11pm, Fri to Sat 10am to 12 midnight

Opening hours:

Sun to Thu 10am to 1130pm, Fri to Sat 10am to 1230am

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

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

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

2.6 **Activities unsuitable for children**

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

2.7 **Steps to promote the licensing objectives**

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

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

2.8 **Further documentation accompanying the application**

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

- Smoking Policy
- Dispersal Policy

3. **Relevant Representations**

3.1 A total of six 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:

- Residents (x5).

3.2 Summary of the representations:

| Party | Grounds of representation | Recommends |
|--|---|-----------------------|
| Licensing and Out of Hours Compliance | Concerns that the premises could become a vertical drinking establishment and that the granting of the application is likely to lead to increased public nuisance relating to noise and crime and disorder. | Grant with conditions |
| Residents (x5) | Concerns about anti-social behaviour, noise, public nuisance, rowdy behaviour, fighting, noise from smokers and patrons leaving the premises and the late terminal hour. Reference made to a fatal stabbing which occurred outside the former Church Inn. | None/refuse |

- 3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.
- 3.4 No agreements on conditions have been reached with persons who have submitted representations.
- 4. Key Policies and Considerations**
- 4.1 Legal Considerations**
- 4.1.1 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.
- 4.2 New Information**
- 4.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.
- 4.3 Hearsay Evidence**
- 4.3.1 The Panel may accept hearsay evidence and it will be a matter for the Panel to attach what weight to it that they consider appropriate. Hearsay evidence is evidence of something that a witness neither saw nor heard, but has heard or read about.
- 4.4 The Secretary of State's Guidance to the Licensing Act 2003**
- 4.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided for all parties involved in licensing. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.

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

4.5 **Manchester Statement of Licensing Policy**

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

Section 6: What we aim to encourage

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

- Premises that will extend the diversity of entertainment and attract a wider range of participants
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
- National cultural institutions, global sports events and cultural festivals
- Non-drink-led premises, including restaurants, cafes, theatres and cinemas

- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application
- Participation in Pubwatches, off licence forums and other crime-reduction partnerships
- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

Section 7: Local factors

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

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

- Identified risk factors specific to the licensed premises
- 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

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

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

MS1 Implement effective security measures at the premises

MS2 Effective general management of the premises

MS3 Responsible promotion and sale of alcohol

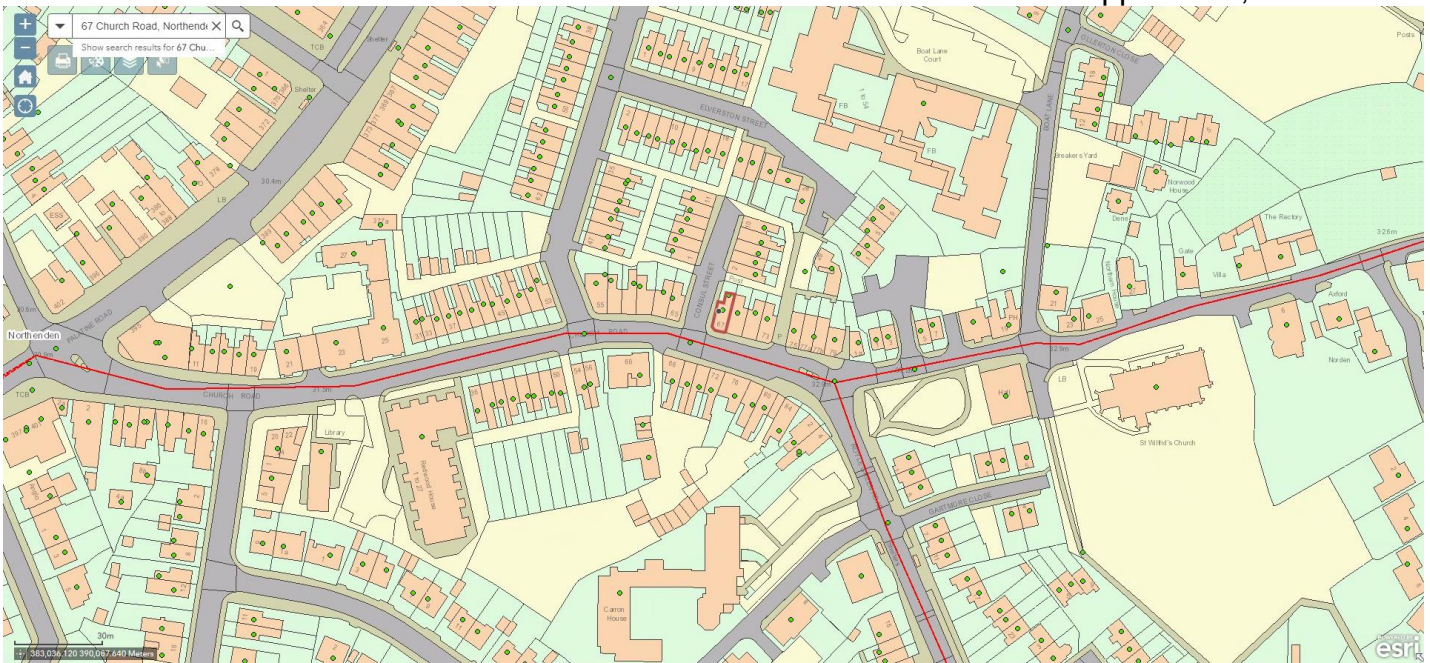
- MS8 Prevent noise nuisance from the premises
- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)
- MS12 Prevent underage sales of alcohol, including proxy sales

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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Cafe/Bar
67 Church Road, Manchester, M22 4WD

Premises Licensing
Manchester City Council

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Survey100019568.



| | |
|-------------------------|-------------------------------------|
| PREMISE NAME: | Cafe/Bar |
| PREMISE ADDRESS: | 67 Church Road, Manchester, M22 4WD |
| WARD: | Northenden |
| HEARING DATE: | 01/07/2019 |

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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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 DLD Properties 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 Café/bar, 67 Church Road, Northenden | | | |
| Post town | Manchester | Postcode | M22 4WD |
| Telephone number at premises (if any) | | | |
| Non-domestic rateable value of premises | | £Unknown | |

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 DLD Properties Limited |
| Address Village View, 994 Burnage Lane, Manchester, M19 1TD |
| Registered number (where applicable) 11632575 |
| 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 | 8 | 052019 |

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)

Café bar.

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

| | | | | | |
|---|-------|--------|---|----------|--------------------------|
| 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 | | | <u>State any seasonal variations for performing plays</u> (please read guidance note 5) | | |
| | | | | | |
| Wed | | | <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) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |
| | | | | | |

B

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

D

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

E

| | | | | | |
|--|-------|--------|--|----------|--------------------------|
| Live music Standard days and timings (please read guidance note 7) | | | <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 | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 4) | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) | | |
| Thur | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| Sat | | | | | |
| Sun | | | | | |

G

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

H

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

I

| Late night refreshment Standard days and timings (please read guidance note 7) | | | Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input checked="" type="checkbox"/> |
|--|-------|--------|---|----------|-------------------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Mon | 23:00 | 23:30 | <u>Please give further details here</u> (please read guidance note 4) | | |
| Tue | 23:00 | 23:30 | | | |
| Wed | 23:00 | 23:30 | <u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) | | |
| Thur | 23:00 | 23:30 | | | |
| Fri | 23:00 | 00:30 | <u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6) From the start time on New Year's Eve to the terminal hour for New Year's Day. | | |
| Sat | 23:00 | 00:30 | | | |
| Sun | 23:00 | 23:30 | | | |

J

| | | | | | |
|---|-------|--------|---|------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 7) | | | Will the supply of alcohol be for consumption – please tick (please read guidance note 8) | On the premises | <input type="checkbox"/> |
| | | | | Off the premises | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 5) | | |
| Mon | 10:00 | 23:00 | | | |
| Tue | 10:00 | 23:00 | | | |
| Wed | 10:00 | 23:00 | | | |
| Thur | 10:00 | 23:00 | | | |
| Fri | 10:00 | 00:00 | | | |
| Sat | 10:00 | 00:00 | | | |
| Sun | 10:00 | 23:00 | | | |
| | | | Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| | | | 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 John Rogers | |
| Date of birth | ██████████ |
| Address ██ ██ ██ | |
| Postcode | ██████████ |
| Personal licence number (if known) 092225 | |
| Issuing licensing authority (if known) Manchester City Council | |

K

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

n/a

L

| | | | |
|---|-------|--------|---|
| <p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p> | | | <p><u>State any seasonal variations</u> (please read guidance note 5)</p> |
| Day | Start | Finish | |
| Mon | 10:00 | 23:30 | <p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p> <p>From the start time on New Year's Eve to the terminal hour for New Year's Day.</p> |
| Tue | 10:00 | 23:30 | |
| Wed | 10:00 | 23:30 | |
| Thur | 10:00 | 23:30 | |
| Fri | 10:00 | 00:30 | |
| Sat | 10:00 | 00:30 | |
| Sun | 10:00 | 23:30 | |
| | | | |

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 policies.

b) The prevention of crime and disorder

Please see attached operating schedule and policies.

c) Public safety

Please see attached operating schedule and policies.

d) The prevention of public nuisance

Please see attached operating schedule and policies.

e) The protection of children from harm

Please see attached operating schedule and policies.

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 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 | 29 April 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] | | | |

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.

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. The need for SIA registered door supervisors shall be risk assessed by the premises licence holder and DPS and shall be employed in such numbers and at such times as that risk assessment deems appropriate.
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. Any person who appears to be intoxicated or who is behaving in a disorderly manner will not be allowed entry into the venue.
8. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.
9. 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.
10. 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. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
2. The exterior of the building shall be cleared of litter at regular intervals.
3. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
4. Doors and windows at the premises are to remain closed after 11pm, save for access and egress.
5. A Dispersal Policy will be implemented and adhered to (see attached).
6. A Smoking Policy will be implemented and adhered to (see attached.)
7. The emptying of bins into skips, and refuse collections will not take place between 9pm and 7am.

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 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.



Consent of individual to being specified as Designated Premises Supervisor

I JOHN ROGERS
[full name of prospective Designated Premises Supervisor]

Of 
[home address of prospective Designated Premises Supervisor]

My date of birth is: 

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

Contact telephone number: 

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

APPLICATION FOR A NEW PREMISES LICENCE
[type of application]

relating to a Premises Licence ABC
[number of existing Premises Licence]

for 67 CHURCH RD.
Northenden
Manchester
M22 4WD
[name and address of premises to which the application relates]

**KUIT STEINART LEVY LLP, 3 ST MARY'S PARSONAGE, MANCHESTER
M3 2RD. TELEPHONE NUMBER: 0161 838 7888. FAX: 0161 838 8109**

and any Premises Licence to be granted or varied in respect of this application made by

DLA PROPERTIES LTD

concerning the supply of alcohol at

67 Church Rd.
Northenden
Manchester M22 4WD.

.....
[name and address of premises to which the application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a Personal Licence, details of which I set out below.

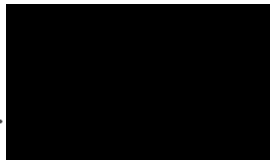
Personal Licence number

..... 092225

Personal Licence Issuing Authority

..... Manchester City Council

Signed:



Name (please print)

JOHN ROGERS

Date:

29/04/2019

**KUIT STEINART LEVY LLP, 3 ST MARY'S PARSONAGE, MANCHESTER
M3 2RD. TELEPHONE NUMBER: 0161 838 7888. FAX: 0161 838 8109**

67 CHURCH ROAD, NORTHEENDEN

SMOKING POLICY

1. Any outside area used by customers wishing to smoke shall be covered by the CCTV system which will be installed at the premises.
2. The outside area shall be monitored regularly by staff when 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.

67 CHURCH ROAD, NORTHENDEN

DISPERSAL POLICY

The purpose of this Dispersal Policy is to ensure, so far as it is possible, that minimum disturbance or nuisance is caused to our neighbours and to ensure that the operation of the premises makes the minimum impact upon the neighbourhood in relation to potential nuisance and anti-social behaviour.

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

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

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

Document is Restricted

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**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

| | |
|------------------|--|
| Name | Mr Matthew Stewart |
| Job Title | Neighbourhood Compliance Officer |
| Department | Licensing and Out of Hours Compliance Team |
| Address | Level 1, Town Hall, Manchester, M60 2LA |
| Email Address | Matthew.stewart@manchester.gov.uk |
| Telephone Number | 0161 234 1220 |

Premise Details

| | |
|--------------------|------------------------------------|
| Application Ref No | M/231199 |
| Name of Premises | Café/Bar |
| Address | 67 Church Road, Manchester M22 4WD |

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, in our capacity as the Environmental Health Responsible Authority, have assessed the likely impact of the grant of this application taking into account a numbers of factors, including:

- the nature of the area in which the premises is located
- the hours applied for
- the potential risk that the granting of this license could have on the four licensing objectives

The applicant is requesting a licence for:

- Provision of late night refreshment: Sun to Thu 11pm to 1130pm, Fri to Sat 11pm to 1230am
- The supply of alcohol for consumption both on and off the premises: Sun to Thu 10am to 11pm, Fri to Sat 10am to 12 midnight
- Opening hours: Sun to Thu 10am to 1130pm, Fri to Sat 10am to 1230am

As highlighted in the attached map, the premise (highlighted red) is located on Church Road a highly residential area and situated nearby other commercial premises which includes takeaways, cafes, beauticians and a public house.

Section 7 of the Statement of Licensing Policy (2016-2021) encourages to state in their operating schedule whenever their proposed alcohol licence is not for vertical drinking, in order that appropriate conditions can be attached to the licence. If this is not done, relevant representations may be made on the basis of a risk that the premises will convert into a vertical drinking establishment. The applicant has not stated if the proposed licence is not for vertical drinking therefore, it is unclear on the operation of the premises.

Section 8 of the Statement of Licensing Policy (2016-2021) outlines noise nuisance from licensed premises to arise in two ways. The first is in noise breakout from licensed premises themselves, which affects adjacent properties either via transmission through the structure of the building, or through airborne sound. This can be caused by noise from music, vibration and/or raised voices. The second source of noise disturbance emanates from activities in the street, typically from patrons arriving, using external areas such as smoking areas, designated drinking areas and beer gardens, or leaving the premises.

As a result of this assessment we have concerns that the granting of this application is likely to lead to increased issues of public nuisance, specifically relating to noise and crime and disorder. We therefore recommend that in order to prevent the problems described above the following conditions should be attached to the premises licence to further support licensing objectives within the Licensing Act 2003 and Manchester City Councils Statement of Licensing 2016-2022:

- The supply of alcohol shall only be to a person seated taking a table meal there and for consumption by such person as ancillary to their meal
- The sale of alcohol for consumption off the premises shall only be supplied with, and ancillary to a takeaway meal
- All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises
- Speakers shall not be located/operated in the entrance lobby or outside the premises
- All table and chairs will be removed from the outside area by 21:00 hours each day
- A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents in the vicinity
- Windows and doors are to remain closed from 22:00 hours each day, save for access and egress
- Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address
- No deliveries must be made to the premises between 21:00 and 07:00 hours
- There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance
- Alcohol consumed outside the premises shall only be consumed by patrons seated at tables
- The designated premises supervisor shall ensure that tables are cleared of all bottles and glasses on a regular basis during trading hours to avoid an accumulation of glassware.



Recommendation: **Approve with Conditions (Outlined Above)**

[REDACTED] >
Date: Sun, 5 May 2019 at 17:49
Subject: Notice of Application for a premises licence under the licensing act 2003 - objection
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>

Dear Sir/Madam,

I note that DLD Properties Limited has applied to Manchester City Council for a premises licence for Café Bar, 67 Church Road, Northenden, Manchester, M22 4WD.

I [REDACTED] feel that it would be inappropriate to have a bar on Church Road in such close proximity to [REDACTED] homes.

There are already a number of bars, restaurants and pubs in the Northenden area and this bar would impact on Church Road and the surrounding roads due to parking, which is already a major problem, where people cannot park near their own homes.

Noise and nuisance behaviour would also be something which we would have to contend with. This is unacceptable for people living here with people coming out of the bars late at night. Drunken and rowdy behaviour, people being sick in the road and on the pavement and fights breaking out. I had hoped that the 'bad old days' were over. I remember the old Church Inn (which was also on Church Road) where people used to come out of the pub and be very noisy and causing a nuisance, culminating in the stabbing and fatal killing of a young man outside of the Church Inn.

I object to this application and hope that careful consideration of the residents will be taken into account.

Yours faithfully,

[REDACTED]



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

Reference: 231199/PW5

1 message

12 May 2019 at 14:52

To: "premises.licensing@manchester.gov.uk" <premises.licensing@manchester.gov.uk>

Reference: 231199/PW5

Premises: Cafe/Bar, [67 Church Road, Manchester, M22 4WD](#)

Applicant: DLD Properties Ltd

Dear Sir/Madam,

We are the owners of [REDACTED] which is located just a [REDACTED] from the proposed cafe/bar.

You may be aware of the serious events that happened at the Church Inn when this was a pub, which is still at the forefront of people's minds that live in this area.

This property is no place for a bar and an alcohol license will attract the wrong kind of people to this quiet residential street. Bars belong on Palatine Road and not here at [67 Church Road](#), which is so close to residential properties.

Consul Street is a Private Road, and as such, no parking is permitted. I would like to know how DLD Limited will ensure that parking spaces are not taken up on Consul Street? What parking spaces will they provide to their clients?

How will they ensure that there is no noise on the street? Where will their guests smoke? This will cause unwanted noise and litter on Consul Street.

Having a bar open on the corner of our street means that some customers will potentially use it as a cut-through late at night to go home. They will no doubt make a lot of noise and potentially cause a nuisance. to residents.

It is extremely sad news to many of us on [REDACTED] that our lives will be disrupted by the appearance of a bar on our front doorstep. Hopefully the council will see sense and refuse this application.

Many thanks for your consideration of our thoughts.

Kind regards,



[REDACTED] >
Date: Fri, 10 May 2019 at 13:11
Subject: Re: 67 Church Road, M22 4WD, Cafe Bar licence application.
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>
<

On Fri, 10 May 2019 at 13:08, [REDACTED] > wrote:
I wish to oppose a recent licensing application by DLD Properties Limited for a Cafe Bar at 67 Church Road, Northenden, M22 4WD.

This property is central of a residential area and is situated on the corner of Church Road and Consul Street, which is a private/unadopted road.

[REDACTED], we've had problems over parking issues and anti-social behaviour, which I feel may arise again if this application is approved.

I'm led to believe that the application for a license has been put in by the licensee of the nearby Crown Inn, which is out of the way from this.

I shall be informing the councillors of my opposable too.

Yours Sincerely,

[REDACTED]
[REDACTED]

231199

| |
|---------------|
| RECEIVED |
| 14 MAY 2019 |
| PREMISES TEAM |

Dear Sir,

I would like to put forward my concerns about No 67, Church Rd, who have applied for a licence to sell alcohol from their bar. Church rd + Royal Green Rd use to have three public houses these have long gone been replaced with new houses. We do not get the noise and the anti social behaviour which was a very big problem at the end of the night. We now have gated alley ways which has stopped people being a nuisance

in our alley ways.

There are already several bars in the village, which have had problems in the past. Parking on Church road isn't good, we have busy traffic all day long with noise from buses and all night buses. I

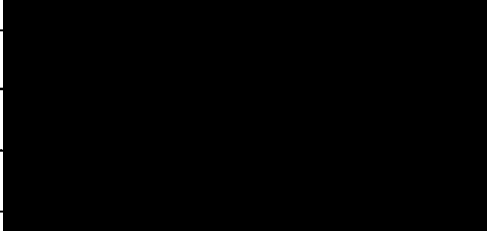
really don't see why we need another bar especially as this is a road where

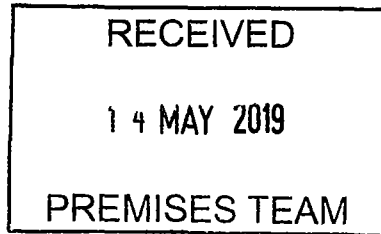
people live. I understand from the notice on the lamp post that the bar will be opened from 10.00 until

12pm with half hour dispersal which will be 12.30pm Fri-Sat all other times 10.00 - 23.00.

We really ~~don't~~ want all the anti social behaviour

yours faithfully





Re-67, Church Rd
 (CAFE BAR).
 Northenden.

12th May 2019.

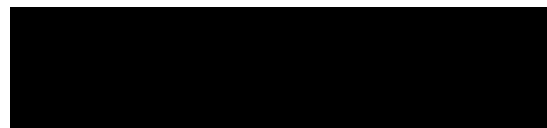
Dear Sirs,

With regards to No 67 Church Rd Northenden who have applied for a licence to sell alcohol from their CAFE bar.

I would like to put forward my concerns.

- ① We already have five-~~bars~~ bars in the Village which have had there problems in the past.
- ② Church Rd had a public house ie, Church Inn Also, Sprems Estate, Jolly Carter over the years these public house became problematic and very "Anti Social" behaviour so we don't want to go back to that era!
- ③ We do have noise issues with buses and heavy traffic and late night buses, so having a CAFE bar with a licence for Alcohol until midnight Fri-Sat with 30 minutes dispersal time would give cause for concern on our neighbour hood roads.

Yours



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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. The need for SIA registered door supervisors shall be risk assessed by the premises licence holder and DPS and shall be employed in such numbers and at such times as that risk assessment deems appropriate. 6. When employed, a register of those door staff employed shall be maintained at the premises and shall include: <ol style="list-style-type: none"> (i) the number of door staff on duty; (ii) the identity of each member of door staff; (iii) the times the door staff are on duty. 7. Any person who appears to be intoxicated or who is behaving in a disorderly manner will not be allowed entry into the venue. 8. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area. 9. 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. 10. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request. 11. A first aid box will be available at the premises at all times. 12. Regular safety checks shall be carried out by staff. 13. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations. 14. The premises shall maintain an Incident Log and public liability insurance. 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.Doors and windows at the premises are to remain closed after 11pm, save for access and egress.</p> <p>19.A Dispersal Policy will be implemented and adhered to (see attached).</p> <p>20.A Smoking Policy will be implemented and adhered to (see attached.)</p> <p>21.The emptying of bins into skips, and refuse collections will not take place between 9pm and 7am.</p> <p>22.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 photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram.</p> <p>23.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>24.Notices advising what forms of ID are acceptable must be displayed.</p> <p>25.Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.</p> | | |
|---|---------------|----------------------------|
| | | |
| Conditions proposed by objectors | Agreed | Proposed by |
| <ol style="list-style-type: none"> 1. The supply of alcohol shall only be to a person seated taking a table meal there and for consumption by such person as ancillary to their meal. 2. The sale of alcohol for consumption off the premises shall only be supplied with, and ancillary to a takeaway meal. 3. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises. 4. Speakers shall not be located/operated in the entrance lobby or | No | Licensing and Out of Hours |

Schedule of Licence Conditions

| | | |
|---|--|--|
| <p>outside the premises.</p> <ol style="list-style-type: none"> 5. All table and chairs will be removed from the outside area by 21:00 hours each day. 6. A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents in the vicinity. 7. Windows and doors are to remain closed from 22:00 hours each day, save for access and egress. 8. Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address. 9. No deliveries must be made to the premises between 21:00 and 07:00 hours. 10. There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance. 11. Alcohol consumed outside the premises shall only be consumed by patrons seated at tables. 12. The designated premises supervisor shall ensure that tables are cleared of all bottles and glasses on a regular basis during trading hours to avoid an accumulation of glassware. | | |
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Committee Hearing Summary Sheet

Reference: 231035
Name: Wolf Italian Street Food
Address: Unit G23, 1 Spinningfields Square, Manchester,
M3 3AP
Ward: Deansgate

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|---------------------------------|
| Hearing Date: 01/07/2019 |
|---------------------------------|

Application Type: Premises Licence (new)
Name of Applicant: Shiny Pearl Company Ltd
Date of application: 13/05/2019

Agreement has been reached between all parties and the panel is requested to determine the application.

Conditions agreed are as follows:

1. All staff shall be trained in:
 - (i) relevant age restrictions in respect of products
 - (ii) company policies and reporting procedures
 - a) Responsible Alcohol Service
 - b) Risk Assessment
 - c) Recognising signs of drunkenness
 - d) Refusal of Service
 - e) Proxy Sale
 - (iii) action to be taken in the event of an emergency
 - a) Report of Fire
 - b) Report of Crime
 - c) Request for emergency medical attention
 - d) Evacuation procedure
 - (iv) the conditions in force under this licence
2. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals.

Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.

3. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be identifiable to verify their identity against the notice.
4. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
5. Patrons permitted to temporarily leave and then re-enter the premises, eg. to smoke, shall not be permitted to take drinks or glass containers with them.
6. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.
7. A log shall be kept at the premises to record all refused sales of alcohol for the reasons that the person(s) is/are, or appear(s) to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log