



Licensing Sub Committee Hearing Panel

Date: Monday, 23 September 2019

Time: 10.00 am

Venue: Council Antechamber - Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Access to the Council Antechamber

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

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

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Grimshaw (Deputy Chair), Hassan and Madeleine Monaghan

Agenda

1. Urgent Business

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

2. Appeals

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

3. Interests

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

4. Application for (New) Premises Licence - Rajas Pizza Bar, 362 Cheetham Hill Road, Manchester, M8 9LS

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

5. Application for (Variation) Premises Licence - Nordie, 1044 Stockport Road, Manchester, M19 3WX

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Report of the Director of Planning, Building Control and Licensing 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 3011
Email: andrew.woods@manchester.gov.uk

This agenda was issued on **Thursday, 12 September 2019** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 23 September 2019

Subject: Rajas Pizza Bar, 362 Cheetham Hill Road, Manchester, M8 9LS -
App ref: Premises Licence (new) 234414

Report of: Director of Planning, Building Control and Licensing

Summary

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

Recommendations

That the Panel determine the application.

Wards Affected: Cheetham

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue - None

Financial Consequences – Capital - None

Contact Officers:

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

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

Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 29/07/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Rajas Pizza Bar, 362 Cheetham Hill Road, Manchester, M8 9LS in the Cheetham ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Mr Shahbaz Ahmad.
- 2.3 The description of the premises given by the applicant is: Hot food franchise
- 2.4 **The licensable activities applied for:**
- | | |
|--------------------------------------|------------------------|
| Provision of late night refreshment: | Mon to Sun 11pm to 2am |
| Opening hours: | Mon to Sun 11am to 2am |
- 2.4.1 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.
- 2.4.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.
- 2.5 **Activities unsuitable for children**
- 2.5.1 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.

2.6 Steps to promote the licensing objectives

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

2.6.2 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**.

2.7 Further documentation accompanying the application

2.7.1 The applicant has not submitted any further documents in support of the application.

3. Relevant Representations

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

Responsible Authorities:

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

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	<p>The operating schedule which accompanies the application offers conditions but these need to be worded more robustly to show how the 4 Licensing Objectives will be upheld.</p> <p>Conditions are proposed that GMP would require to see attached to the licence. The proposed conditions refer to installation and operation of CCTV system; keeping of an incident log; and training / re-training of staff to deal with challenging customers and customers under the influence of intoxicants.</p>	Grant with conditions
Licensing and Out of Hours Compliance	<p>Concerns are raised that the proposed conditions are not sufficient to uphold the licensing objectives and to prevent exacerbation of issues that are currently a problem in the area such as waste, street drinking and criminal activity in the area.</p> <p>A number of conditions are proposed that the</p>	Grant with conditions

	<p>LOOH team would wish to see added to the licence if granted.</p> <p>The LOOH team also require a reduction in the hours that have been applied for. The hours that the LOOH team propose are:</p> <p>Sunday to Thursday: 23:00 - 01:00 Friday and Saturday 23:00-02:00</p>	
North Neighbourhood Team	<p>Extending the hours could increase the risk of crime and anti-social behaviour from the premises, noise nuisance and littering. The premises are close to residential homes off Esmond/Avondale and Shirley Road and could be impacted by this change in hours.</p> <p>Specific issues have been identified as being associated with this premises including poor management of their waste and littering in the general area.</p> <p>A recent inspection by the North Compliance Team identified issues relating to the property condition and the kitchen area which has been referred to the MCC Food Inspections Team. The compliance team consider that a report from the Food Inspections team is required before any licence can be granted as this is a potential public safety issue.</p>	Refuse

3.3 No conditions proposed by objectors have been agreed at the time of publishing these papers at **Appendix 4**.

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 New Information

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

4.3 Hearsay Evidence

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

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

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

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

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

4.5 **Manchester Statement of Licensing Policy**

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

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

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

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

Section 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
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Ability to clean and maintain the street scene.

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

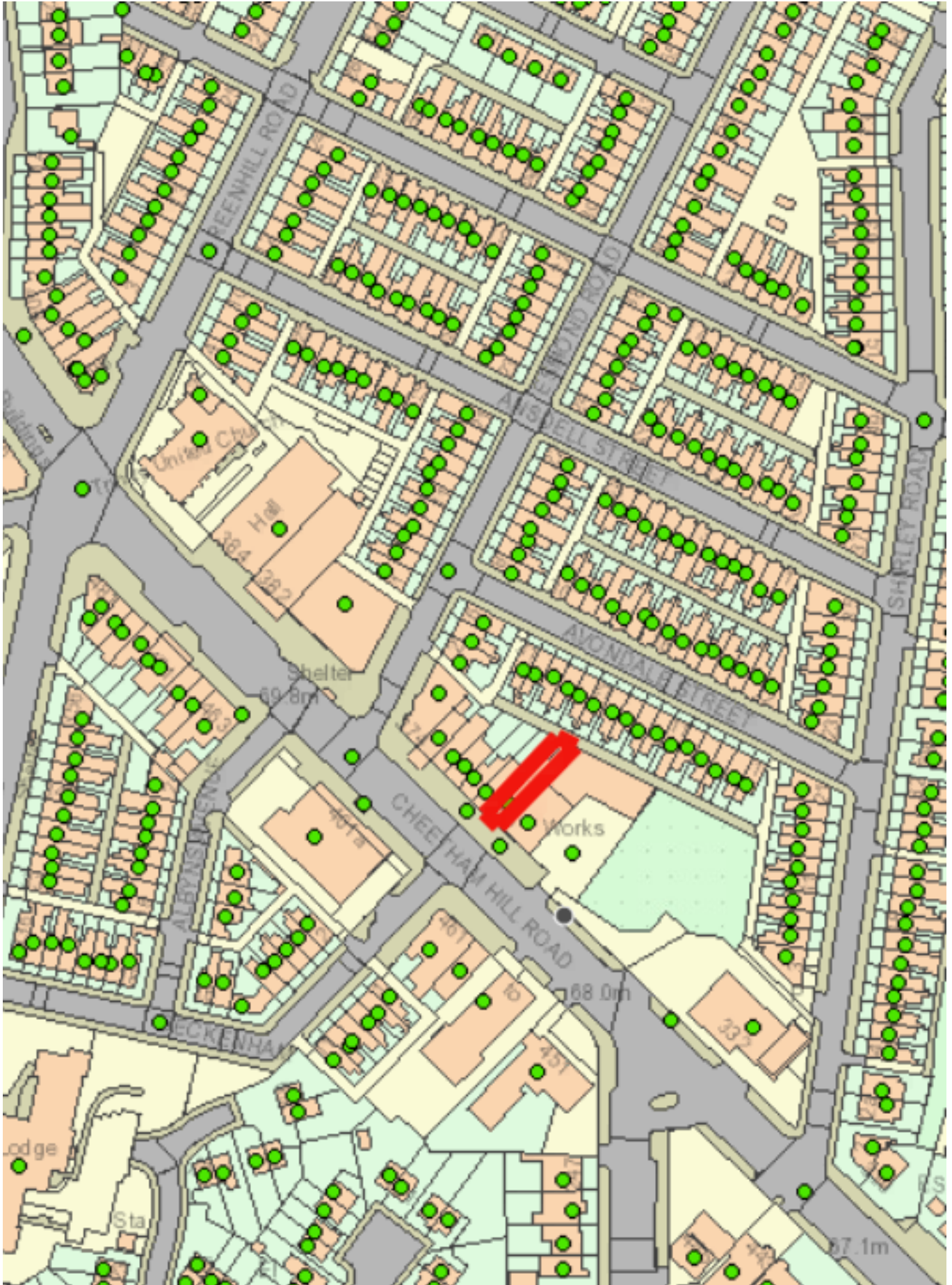
This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be appropriate to apply in every situation to every premises, and applicants are not obliged to include all standards in their operating schedule.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

- MS2 Effective general management of the premises
- MS8 Prevent noise nuisance from the premises
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse

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 requested to determine the application.**



Rajas Pizza Bar
362 Cheetham Hill Road, Manchester, M8 9LS
Premises Licensing
Manchester City Council

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Street View - Apr 2019



PREMISE NAME:	Rajas Pizza Bar
PREMISE ADDRESS:	362 Cheetham Hill Road, Manchester, M8 9LS
WARD:	Cheetham
HEARING DATE:	23/09/2019

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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GREATER MANCHESTER POLICE - REPRESENTATION

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

About the Premises	
Application Reference No.	LPA 234414
Name of the Premises	Rajas Pizza Bar
Address of the premises including postcode	362 Cheetham Hill Road, Manchester M8 9LS

Your Representation
<p>Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the licence on the licensing objectives on and in the vicinity of the premises in question.</p> <p>Please accept this as formal notification of the Greater Manchester Police objection to the premises licence in relation to the above premises on the grounds of Prevention of Crime and Disorder and the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.</p> <p>The operating schedule which accompanies the application offers conditions but these need to be worded more robustly to show how the 4 Licensing Objectives will be upheld.</p> <p>We therefore ask that if this application was granted the following conditions are attached:</p> <p>The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.</p> <p>An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:</p> <p>(a) all crimes reported to the venue, or by the venue to the Police (b) all ejections of patrons (c) any incidents of disorder</p> <p>Staff shall be trained to deal with challenging customers and customers who are under the influence of intoxicants. This training shall be repeated at no greater than 6 monthly intervals.</p>



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

Name	Luke Solczak
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	Luke.Solczak@Manchester.gov.uk
Telephone Number	0161 227 3147

Premise Details

Application Ref No	234414
Name of Premises	Rajas Pizza Bar
Address	362 Cheetham Hill Road, Manchester, M8 9LS

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 concerns that the proposed conditions are not sufficient enough to uphold the licensing objectives and to prevent further issues that are currently a problem in the area such as waste, street drinking and criminal activity in the area.

If the applicant agrees to the following conditions it would satisfy any concerns the LOOH Team may have.

- 1) All public areas of the licensed premises, including all public entry and exit points, and the street environment will be covered, enabling facial Identification of every person entering in any light condition. The CCTV Cameras shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of [28] days with the date and time stamping.

A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce/download/ burn CCTV images upon reasonable request by a police officer or an authorised officer of the licensing authority.

Any footage must be in a format that can be played back on a standard personal computer or standard DVD player.

- 2) At the end of trading each day, the pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept or washed, and litter and sweepings collected and stored in accordance with the approved waste storage arrangements.
- 3) All takeaway packaging and wrappers shall clearly identify the premises, ie. by way of company logo or name.

- 4) Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.
- 5) Deliveries to the premises shall be conducted in a manner that will not Cause a nuisance to the occupiers of any residential properties surrounding the delivery address and deliveries shall be made at a time which will not lead to any public nuisance.
- 6) All employees will be vigilant and monitor the area immediately outside the shop to ensure that members of the public do not cause annoyance by congregating.
- 7) The Premises Licence holder will operate a zero tolerance approach towards drunken and anti-social behaviour.
- 8) The Premises Licence holder will ensure that prominent, clear and legible notices are displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- 9) The Premises Licence holder will ensure that no children under the age of 16 will be allowed on the premises after 23:00hrs unless accompanied by adult.
- 10) All training will be documented, signed and dated and refreshed at least every 12months, and will be made available to authorised officers upon request.

Training shall consist of the following.

- Recognising signs of drunkenness and Drugs
- Conflict Management

In addition

Due to recent interactions the Licensing and Out of Hours Team have had with Raja's Pizza Bar Licensing and Out of Hours would like a reduction in the hours proposed by the applicant. This would correspond with the hours that Manchester City Council have implemented on the premises.

These hours would be as follows.

Sunday	23:00 - 01:00
Monday	23:00 - 01:00
Tuesday	23:00 - 01:00
Wednesday	23:00 - 01:00
Thursday	23:00 - 01:00
Friday	23:00-02:00
Saturday	23:00-02:00

Recommendation: Approve with Conditions (Outlined Above)

From: **Catherine Keane** <c.keane@manchester.gov.uk>

Date: Tue, 13 Aug 2019 at 17:23

Subject: Premises Licence (new) 234414/HH1: Rajas Pizza Bar, 362 Cheetham Hill Road, Manchester, M8 9LS, (Cheetham ward)

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

Dear Premises Licensing Team

I am writing with reference to the above licence application at Rajas Pizza, 362 Cheetham Hill Road. M8 9LS. The premises have put forward proposed hours and licensable activities. Provision of late night refreshment Mon to Sun 11 pm - 2 am and Opening hours 11 am - 2 am

I am objecting to this application for the following reasons.

1. Prevention of public nuisance.

Extending the hours could increase the risk of crime and anti-social behaviour from the premises, noise nuisance and littering. The premises are close to residential homes off Esmond/Avondale and Shirley Road and could be impacted by this change in hours. .

I organised a day of action on 15 July 2019 on Cheetham Hill Road with officers from Manchester City Council, Greater Manchester Police, Biffa and Cheetham Councillors. We identified specific issues with Rajas Pizza Bar and the poor management of their waste which impacted in the rear alleyway adjacent to Cheetham Hill Road and littering in the general area.

2. Public safety

A recent inspection by the North Compliance Team within the premises identified issues relating to the property condition and the kitchen area. This has been referred to the MCC Food Inspections Team to investigate. Given the current situation and these findings, I do not think Rajas Pizza should be allowed to increase its trading hours until their is a report back from Food Hygiene Inspectors.

In summary, due to the failure and breach of their current licensing conditions, I am objecting strongly to any changes to increase their opening hours and provision of late night refreshments. Furthermore, if Rajas Pizza Bar do not comply with the required standards for running their business, I will also seek a review of their licence to trade as a hot food takeaway.

If you have any further enquiries, please call me back.

Many thanks

Cath

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Training provided 2. Every branch has an approved manager 3. CCTV on premises and on next door premises 4. Compliance with health and safety regulations and fire safety regulations 5. Health and safety manager/worker is present at all times 6. Seating provided inside premises 7. Waste bins provided inside premises, and there are two bins outside. 8. No alcohol is permitted to be consumed on the premises. 	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided. 2. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details: <ol style="list-style-type: none"> (a) all crimes reported to the venue, or by the venue to the Police (b) all ejections of patrons (c) any incidents of disorder <p style="text-align: right;">Continued.....</p>	No	GMP

Schedule of Licence Conditions

<p>3. Staff shall be trained to deal with challenging customers and customers who are under the influence of intoxicants. This training shall be repeated at no greater than 6 monthly intervals.</p>		
<p>1. All public areas of the licensed premises, including all public entry and exit points, and the street environment will be covered, enabling facial Identification of every person entering in any light condition. The CCTV Cameras shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of [28] days with the date and time stamping.</p> <p>2. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce/download/ burn CCTV images upon reasonable request by a police officer or an authorised officer of the licensing authority.</p> <p>3. Any footage must be in a format that can be played back on a standard personal computer or standard DVD player.</p> <p>4. At the end of trading each day, the pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept or washed, and litter and sweepings collected and stored in accordance with the approved waste storage arrangements.</p> <p>5. All takeaway packaging and wrappers shall clearly identify the premises, ie. by way of company logo or name.</p> <p>6. Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.</p> <p>7. Deliveries to the premises shall be conducted in a manner that will not Cause a nuisance to the occupiers of any residential properties surrounding the delivery address and deliveries shall be made at a time which will not lead to any public nuisance.</p> <p>8. All employees will be vigilant and monitor the area immediately outside the shop to ensure that members of the public do not cause annoyance by congregating.</p> <p>9. The Premises Licence holder will operate a zero tolerance approach towards drunken and anti-social behaviour.</p> <p>10. The Premises Licence holder will ensure that prominent, clear and legible notices are displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.</p> <p style="text-align: right;">Continued....</p>	No	Licensing and Out of Hours

Schedule of Licence Conditions

<p>11. The Premises Licence holder will ensure that no children under the age of 16 will be allowed on the premises after 23:00hrs unless accompanied by adult.</p> <p>12. All training will be documented, signed and dated and refreshed at least every 12months, and will be made available to authorised officers upon request.</p> <p>13. Training shall consist of the following.</p> <ul style="list-style-type: none"> - Recognising signs of drunkenness and Drugs - Conflict Management <p><u>Additional information:</u></p> <p>The Licensing and Out of Hours Team request a reduction in the hours proposed by the applicant, as follows.</p> <p>Sunday to Thursday: 23:00 - 01:00</p> <p>Friday and Saturday 23:00-02:00</p>		
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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 23 September 2019

Subject: Nordie, 1044 Stockport Road, Manchester, M19 3WX - App ref:
Premises Licence variation 234148

Report of: Director of Planning, Building Control and Licensing

Summary

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

Recommendations

That the Committee determine the application.

Ward Affected: Levenshulme

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

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

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

Name: Louise Dormer
 Position: Technical Licensing Officer
 Telephone: 0161 234 4160
 E-mail: louise.dormer@manchester.gov.uk

Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

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

1.0 Introduction

- 1.1 On 03/07/2019, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of Nordie, 1044 Stockport Road, Manchester, M19 3WX in the Levenshulme ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2.0 Current Licence

- 2.1 The premises licence holder is Little Bittern Limited and a copy of the current licence is attached at Appendix 2.

3.0 The Application

- 3.1 A copy of the application is attached at **Appendix 3**.
- 3.2 The variation is to:

- Change the operating times of the sale by retail of alcohol and the hours the premises are open to the public.
- Adjustment to condition 7 of annex 3 in the current license.

Current condition: Tables and chairs shall be rendered unusable by 22:00 each day.

Proposed condition: Tables and chairs shall be rendered unusable by 23:00pm Sunday to Thursday and 24:00 Friday and Saturday.

Proposed hours and licensable activities:

Provision of regulated entertainment (recorded music):

Current hours: Fri to Sat 11pm to 12 midnight

Proposed hours: Sun to Thurs 11pm to 11:30pm

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

Current hours: Sun to Thurs 11am to 10:30pm, Fri to Sat 11am to 12 midnight

Proposed hours: Sun to Thurs 11am to 11pm

Opening hours:

Current hours: Sun to Thurs 9am to 11pm, Fri to Sat 9am to 12:30am

Proposed hours: Sun to Thurs 9am to 11:30pm

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

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

3.3 **Activities unsuitable for children**

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

3.4 **Steps to promote the licensing objectives**

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

3.4.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 5**.

3.4.3 The applicant has not submitted any further documents in support of their application.

4.0 **Relevant Representations**

4.1 A total of One relevant representations were received in respect of the application (**Appendix 4**)

Responsible Authorities:

MCC Licensing and Out of Hours Compliance Team;

4.2 Summary of the representations:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance (LOOH)	<p>LOOH have objected to the variation on the grounds that the granting of the variation to the licence will have an adverse impact on local residents. LOOH state that the premises is situated within a mixture of residential and commercial properties on Stockport Road. Above the premises is a flat and there are also residential properties on Kevin Street, and to the rear on Pascal Street.</p> <p>LOOH state that they do not object to the variation of the hours, however they do recommend that the use of the outside tables and chairs be restricted to 23.00. LOOH state that any extension beyond this time has the potential to cause public nuisance.</p>	Grant with conditions

4.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at Appendix 5.

5.0 Key Policies and Considerations

5.1 Legal Considerations

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

5.2 New Information

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

5.3 Hearsay Evidence

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

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

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

5.5 **Manchester Statement of Licensing Policy**

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

Section 6: What we aim to encourage

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

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

Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives;

National cultural institutions, global sports events and cultural festivals;
Non-drink-led premises, including restaurants, cafes, theatres and cinemas;

Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application;

Participation in Pubwatches, off licence forums and other crime-reduction partnerships;

Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership;

Designing out crime in the layout of the premises.

Section 7: Local factors

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

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

Evidence of pre-existing problems in the area;

Consistency with relevant Council strategies;

The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance;

Proximity to sensitive uses; and

Ability to clean and maintain the street scene.

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

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

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

- MS1 Implement effective security measures at the premises.
- MS2 Effective general management of the premises.
- MS3 Responsible promotion and sale of alcohol.
- MS4 Prevent the use of illegal drugs, new psychoactive substances (NPS) and the spiking of drinks at the premises.
- MS5 Prevent on-street consumption of alcohol.
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies.
- MS7 Maintain a safe capacity.
- MS8 Prevent noise nuisance from the premises.
- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse.
- MS11 Ensure the wellbeing of children on the premises.
- MS12 Prevent underage sales of alcohol, including proxy sales.

Section 9: Alcohol delivery services

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

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

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

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

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

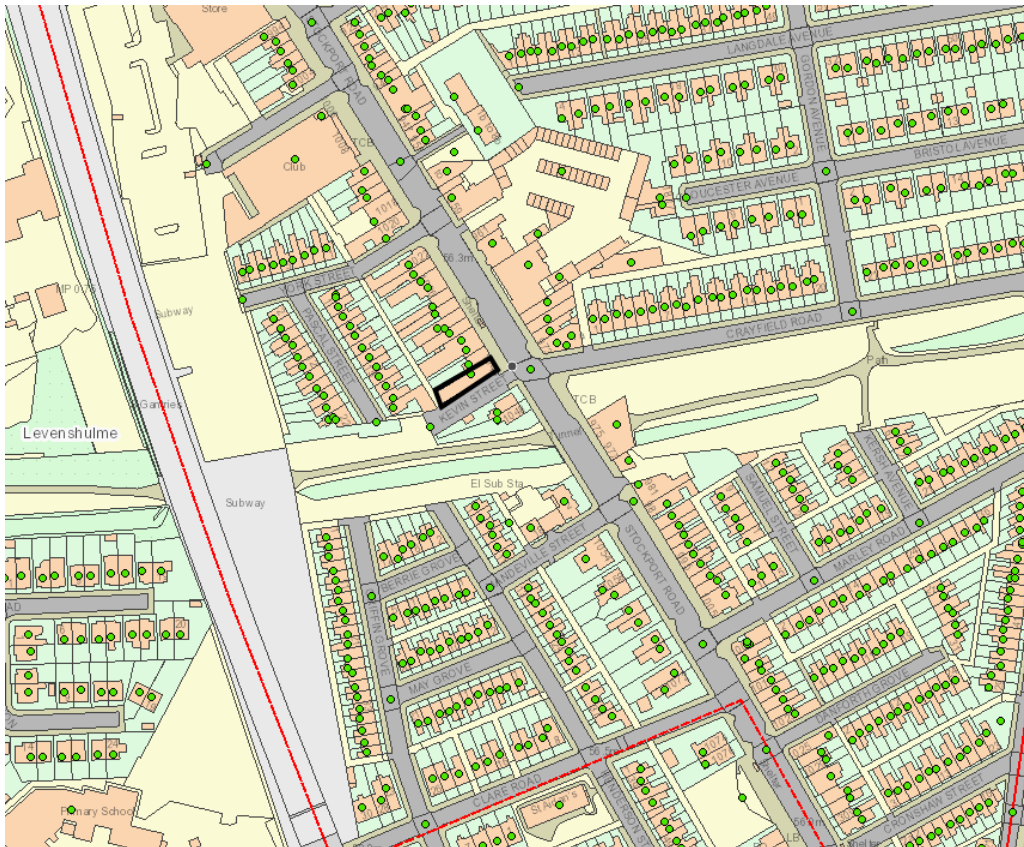
Section 12: Premises Licences for large-scale public events

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

6.0 Conclusion

- 6.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 6.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 6.3 The Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate;
 - b) To reject the whole or part of the application
- 6.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 6.5 However, conditions should not be imposed on a licence which are unrelated to the variation sought.
- 6.6 All licensing determinations should be considered on the individual merits of the application.
- 6.7 The Panel’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 6.8 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 6.9 **The Panel is asked to determine the application.**

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PREMISE NAME:	Nordie
PREMISE ADDRESS:	1044 Stockport Road, Manchester, M19 3WX
WARD:	Levenshulme
HEARING DATE:	19/08/2019

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MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	215723
Granted	04/09/2018
Latest version	As above

Part 1 - Premises details

Name and address of premises
1044 Stockport Road, Manchester, M19 3WX
Telephone number
TBC

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

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	2230	2230	2230	2230	2400	2400	2230
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non standard Timings:							
An additional hour to the permitted timings on: the Thursday preceding Good Friday; Sundays preceding Bank Holiday Mondays; Christmas Eve; Boxing Day; New Year's Eve and Halloween.							

Recorded music							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	N/A	N/A	N/A	N/A	2300	2300	N/A
Finish	N/A	N/A	N/A	N/A	2400	2400	N/A
Licensed to take place indoors only.							
Seasonal variations and Non standard Timings:							
An additional hour to the permitted timings on: the Thursday preceding Good Friday; Sundays preceding Bank Holiday Mondays; Christmas Eve; Boxing Day; New Year's Eve and Halloween.							

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	N/A	N/A	N/A	N/A	2300	2300	N/A
Finish	N/A	N/A	N/A	N/A	2400	2400	N/A
Licensed to take place both indoors and outdoors.							

Seasonal variations and Non standard Timings:

An additional hour to the permitted timings on: the Thursday preceding Good Friday; Sundays preceding Bank Holiday Mondays; Christmas Eve; Boxing Day; New Year's Eve and Halloween.

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

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0900	0900	0900	0900	0900	0900	0900
Finish	2300	2300	2300	2300	0030	0030	2300

Seasonal variations and Non standard Timings:

An additional hour to the permitted timings on: the Thursday preceding Good Friday; Sundays preceding Bank Holiday Mondays; Christmas Eve; Boxing Day; New Year's Eve and Halloween.

Part 2**Details of premises licence holder**

Name: Little Bittern Limited
Address: 46 Moss Lane, Swinton, Manchester, M27 9RZ
Registered number: 11376714

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

Name: Odran McClintock
Personal Licence number: 111028
Issuing Authority: Salford City Council

Annex 1 – Mandatory conditions**Door Supervisors**

1. Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: -
 - (a) Unauthorised access or occupation (e.g. through door supervision),
 - (b) Outbreaks of disorder, or
 - (c) Damage,
 unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.

Supply of alcohol

2. No supply of alcohol may be made under this premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence or,
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being

served alcohol, identification bearing their photograph, date of birth and either –

- (a) a holographic mark, or
- (b) an ultraviolet feature.

5. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.

(2) For the purposes of the condition set out in (1) above–

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) “permitted price” is the price found by applying the formula–

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

where –

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a

significant risk of undermining a licensing objective;

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
8. The responsible person must ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

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

Annex 2 – Conditions consistent with the operating schedule

1. Upon commencement of their employment, all staff who are involved in the sale of alcohol will be trained in relation to the licensing objectives so as to reduce crime and disorder, promote public safety, prevent public nuisance and promote the protection of children from harm.
2. Refresher training will be provided at least once every six months and all training will be documented and made available to an authorised officer upon request.
3. The premises will be an active member of any local “pub watch” or equivalent scheme where such a scheme is in existence
4. A comprehensive CCTV system shall be installed internally and externally at the premises and will meet the following criteria: - The system will display on any recording the time and date of said recording; - The system will be recording whenever the premises is open to the public; - Any recordings will be retained for a minimum of 31 days after they are made and will be produced to an authorised officer upon request, so long as said request is in accordance with the principles of the Data Protection Act or any subsequent or alternative legislation; - The CCTV will capture all public areas of the premises, with the exception of the toilets.
5. Appropriate signage alerting customers to the use of CCTV shall be displayed in a conspicuous position at the premises.
6. A competent person trained in the use of and operation of the CCTV will be in attendance at the premise at all times that licensable activities are taking place. Said person will be able to fully operate the CCTV system and be able to download data in a recognised format when requested.

7. Prior to any occasion on which licensable activities are to be carried on at the premises, a risk assessment will be carried out to determine whether door supervisors are required.
8. An appropriate number of door supervisors will be utilised in accordance with said risk assessment, which will be documented and made available to an authorised officer upon request.
9. The premises will have a written zero tolerance drugs policy which is enforced at all times.
10. The premises will have fixed metal roller shutters on all external doors and windows to protect the premises outside of operating hours.
11. The external appearance of the property and surrounding area will be actively maintained to contribute to the ongoing gentrification of the local high street.
12. No sales of alcohol will be made for consumption off the premises in an unsealed container.
13. All parts of the premises and all fittings and apparatus therein will be maintained at all times and kept in good order and in a safe condition. This includes door fastenings and notices, lighting, heating, electricals, air conditioning, furniture, sanitary accommodation and all other installations.
14. Appropriate and sufficient lighting and signage will be implemented with regards to the safe egress of the premises in any occurrences of hazards or emergencies such as fire or otherwise.
15. The methods of SFBB (Safer Food, Better Business) will be implemented and promoted in line with all current food hygiene and safety guidelines. Any staff involved in the production or distribution of food will be fully trained in this area. All relevant certification will be obtained and a food hygiene rating will be clearly displayed.
16. The management of the premises will ensure that the area immediately outside the entrance to the premises is kept clean, tidy and free from litter.
17. The premises will have a written dispersal policy designed to encourage patrons to leave the venue and the area quickly and quietly.
18. Suitable cigarette and other waste receptacles will be available for customer use in designated areas outside the premises.
19. Any external areas used to house bins, refuse and recycling will be well maintained and secure.
20. There shall be no persons under the age of eighteen permitted on the premises after 21:00 each evening. There shall be no persons under the age of eighteen permitted on the premises at any time unless they are accompanied by a responsible adult.
21. A "Challenge 25" Policy shall be adopted and enforced at the premises whereby any person who appears to be under the age of 25 shall be required to provide identification to prove that they are over the age of 18 before they are permitted to purchase alcohol. The only forms of acceptable identification will be: - A Passport; - A UK Photocard Driving Licence; - Official ID card issued by HM Forces or EU bearing a photograph and the date of birth of the holder; - Any other form of identification agreed with a representative of the Police Licensing Unit.
22. All staff who are involved in the sale of alcohol will be trained in relation to the "Challenge 25" policy upon the commencement of their employment, following which they will undertake refresher training at least once every twelve months. Said training will be documented and will be made available to an authorised officer upon request.

Annex 3 – Conditions attached after hearing by the licensing authority

1. All windows and external doors shall be kept closed from 2200 or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
3. Speakers shall not be located outside the premises.
4. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
5. Clear notices shall be displayed upon exit of the premises reminding patrons to leave quietly.
6. Staff shall ensure egress of patrons shall be kept as quiet as possible to prevent a public nuisance

with consideration to residents.

7. Tables and Chairs shall be rendered unusable by 2200 hours each day.
8. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:
 - a) all crimes reported to the venue, or by the venue to the police
 - b) all ejections of patrons
 - c) any complaints received
 - d) any incidents of disorder
 - e) seizures of drugs, offensive weapons, fraudulent ID or other items
 - f) any faults in the CCTV system or searching equipment or scanning equipment
 - g) any refusal of the sale of alcohol
 - h) any visits by a relevant authority or emergency service
9. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice.
10. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, relevant age restrictions in respect of products, recognise the signs of drunkenness, how to refuse service, the premises duty of care, action to be taken in an emergency such as and including reporting an incident, evacuations and monitor staff to ensure staff training is put into practise. Documented records of training completed shall be kept for each staff member. Training shall be regularly refreshed and at no greater than 6 monthly intervals.
11. No deliveries to or collection of waste from the premises between 2200 and 0700 hours.
12. No glass waste shall be moved or placed in outside areas between 2000 and 0700 hours.

Annex 4 – Plans

See attached



**MANCHESTER
CITY COUNCIL**

Send completed application form to:

Premises Licensing
Manchester City Council
Level 2 Town Hall Extension
Albert Square
PO Box 532, M60 2LA

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We LITTLE BITTERN LTD T/A NORDIE

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 215723

Part 1 – Premises Details

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

NORDIE
1044 STOCKPORT ROAD
LEVENSHULME

Post town

MANCHESTER

Postcode

M19 3WX

Telephone number at premises (if any)

07886296799

Non-domestic rateable value of premises

£ £14,000

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	nordiemcr@gmail.com		
Current postal address if different from premises address	46 MOSS LANE SWINTON SALFORD		
Post town	MANCHESTER	Postcode	M27 9RZ

Part 3 - Variation

Please tick as appropriate

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

 Yes No

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

DD	MM	YYYY
[] []	[] []	[] [] [] []

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

WE WISH TO MAKE VARIATIONS IN OUR MID WEEK OPERATING TIMES INCLUDING CHANGE OF 'SALE BY RETAIL OF ALCOHOL' & 'HOURS THE PREMISES ARE OPEN TO THE PUBLIC'. WE ALSO WISH TO MAKE AN ADJUSTMENT TO CONDITION 7 OF ANNEX 3 IN OUR CURRENT LICENSE BY EXTENDING THE HOURS OUR OUTDOOR SEATING CAN BE USED.

CONDITION 7 OF ANNEX CURRENTLY STATES 'TABLES & CHAIR SHALL BE RENDERED UNUSABLE BY 2200 HOURS EACH DAY'

OUR TABLES & CHAIRS ARE CURRENTLY ON A PRIVATE AREA ON KEVIN STREET (UNADOPTED & PRIVATE ROAD). AS THIS ROAD IS PRIVATE NO TABLES & CHAIRS LICENSE WAS NEEDED THEREFORE NO AMENDMENTS ARE REQUIRED IN THIS INSTANCE.

WE WOULD LIKE THE CONDITION TO BE AMENDED TO SO THAT THE TABLES & CHAIRS CAN BE USED IN LINE WITH THE NEW PROPOSED 'SALE BY RETAIL OF ALCOHOL' ACTIVITIES AS PER BELOW

'TABLES & CHAIR SHALL BE RENDERED UNUSABLE BY 23:00PM SUN-THURSDAY & 24:00 FRIDAY & SATURDAY'

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

Part 4 Operating Schedule

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

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

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
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 5)		
Sat								
Sun								

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat								
Sun								

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	23:00	23:30			
Tue	23:00	23:30	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Wed	23:00	23:30			
Thur	23:00	23:30	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat			An additional hour to the permitted timings on: the Thursday preceding Good Friday; Sundays preceding Bank Holiday Mondays; Christmas Eve, Boxing Day, New Year's Eve and Halloween		
Sun	23:00	23:30			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment <u>take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	1100	2300			
Tue	1100	2300			
Wed	1100	2300			
Thur	1100	2300			
Fri					
Sat					
Sun	1100	2300	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 5) An additional hour to the permitted timings on: the Thursday preceding Good Friday; Sundays preceding Bank Holiday Mondays; Christmas Eve, Boxing Day, New Year's Eve and Halloween		

K

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

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	0900	2330	
Tue	0900	2330	
Wed	0900	2330	
Thur	0900	2330	
Fri			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 (please read guidance note 5) An additional hour to the permitted timings on: the Thursday preceding Good Friday; Sundays preceding Bank Holiday Mondays; Christmas Eve, Boxing Day, New Year's Eve and Halloween
Sat			
Sun	0900	2330	

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

Checklist:

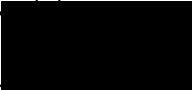
Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 10)

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

Signature	
Date	02/07/2019
Capacity	

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

Signature	
Date	
Capacity	

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

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

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**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details	
Application Ref No	Ref: M/234148
Name of Premises	Nordie
Address	1044 Stockport Road, Manchester, M19 3WX

Representation of David Horbury Licensing & Out of Hours Team
<p>The Licensing and Out of Hours have assessed the likely impact of granting an application to vary the premises licence.</p> <p>The application seeks to extend alcohol sales from the existing timings which are;</p> <p>Monday to Thursday 11.00 - 22.30. Friday and Saturday 11.00 - 24.00 Sunday from 11.00 - 22.30 hours.</p> <p>to the proposed timings:</p> <p>Sunday to Thursday 11.00 to 23.00 hours.</p> <p>The current licence allows the premises to play recorded music (Indoors Only) on Friday and Saturday from 23.00 to 24.00 hours.</p> <p>They have now applied to extend playing Recorded Music (Indoors only), Sunday to Monday 23.00 to 23.30 hours.</p> <p>The application also seeks to vary condition 7, Annex 3 which currently states: “Tables and Chairs shall be rendered unusable by 22.00 hours each day. The applicant has applied to vary this condition as follows: Tables and Chairs shall be rendered unusable by 23.00 Sunday to Thursday and 24.00 Friday and Saturday ”</p> <p>The applicant has also applied for non-standard timings as follows: An additional hour to the permitted timings on: the Thursday preceding Good Friday; Sundays preceding Bank Holiday Mondays; Christmas Eve, Boxing Day, New Year’s Eve and Halloween</p> <p>The premises is situated within a mixture of residential and commercial properties on Stockport Road, Levenshulme. Above the premises there is a flat and there are also residential properties on Kevin Street, and to the rear on Pascal Street.</p>

We have considered the likely impact of granting the variation to increase the hours relating to the sales of alcohol, playing of recorded music, and to extend the hours for the use of the outside Tables and Chairs, we have taken into account the local residents and the potential impact the grant of the variation would have on them.

Although we do not have any objections to extend the hours relating to the sale of alcohol on the days applied for, and have no objection for the recorded music to be played inside the premise only, we do however recommend that the use of the outside tables and chairs be restricted to 23.00 hours as we feel that to allow the use of this tables and chairs any later will have an impact on the residents in relation to potential for noise nuisance.

Therefore we suggest that Condition 7 states: That the outside Tables and chairs will be rendered unusable by 23:00 hours each day.

In reaching this decision we have given particular consideration the prevention of public nuisance as a Licensing Objective and to Manchester City Council's Statement of Licensing Policy 2016-2021, in particular section:

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

Area Map & Premises location.



Photo 1 - Nordie , 1044 Stockport Road, M19 3WX.



Photo 2 & 3 Tables & Chairs Area on Kevin Street



Photos 3 – Tables & Chairs Area on Kevin Street.



Photo 4 – Showing residential property at side of Nordie.



Recommendation: Approve Application with amended timings, and condition detailed above.

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Staff will be trained in any changes that occur and the changes will be included in our refresher training we provide on a 6 monthly basis 2. The tables & chairs area shall be monitored by a 24-hour CCTV system. Any incidents or rejections that occur shall be logged in the log book which shall be produced to any authorised officer upon request. 3. All parts of the tables & chairs area will be maintained at all times and kept in good & safe condition. 4. Appropriate lighting will be utilised in order for the area to be monitored 5. The tables & chairs area shall be kept clean, tidy & free from litter at all times. 6. A dispersal policy shall be displayed in the outside area to inform customers of opening & closing times of the area as well as requests to keep noise levels to a minimum whilst in the area & when leaving. 	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 1. The outside tables and chairs will be rendered unusable by 23:00 hours each day. 	No	(eg) Licensing and Out of Hours

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

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