



Licensing Sub Committee Hearing Panel

Date: Monday, 7 October 2019

Time: 10.00 am

Venue: Room 1009, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Access to the Room 1009

Public access to Room 1009 is restricted and attendees are requested to wait in the Licensing Hearings area in the Rates Hall on the ground floor of the Town Hall Extension. An officer will meet and escort attendees to the meeting, The Rates Hall can be reached from the St. Peter's Square entrance and from Library Walk and from Mount Street.

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

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Hughes, Madeleine Monaghan and Reid

Agenda

1. Urgent Business

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

2. Appeals

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

3. Interests

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

4. Application for a New Premises Licence - The Huntsman Inn, 130 Wilmslow Road, Manchester, M14 5AH 5 - 74

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

5. Application for a New Premises Licence - Superstar Off Licence, 57-59 Wilmslow Road, M14 4TB 75 - 132

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

6. Application for a New Premises Licence - The Drop, 356 Barlow Moor Road, M21 8AZ

The report of the Director of Planning, Building Control and Licensing is to follow.

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,
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Manchester, M60 2LA

Further Information

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

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This agenda was issued on **Thursday, 26 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 – 7 October 2019

Subject: Huntsman Inn, Huntsman Inn, 130 Wilmslow Road, Manchester, M14 5AH - App ref: Premises Licence (new) 235010

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendation

That the Panel determine the application.

Ward Affected: Moss Side

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
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Name: Dave Skelly
Position: Technical Licensing Officer
Telephone: 0161 234 4915
E-mail: d.skelly@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 14/08/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Huntsman Inn, Huntsman Inn, 130 Wilmslow Road, Manchester, M14 5AH in the Moss Side 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 Zameer Hussain.
- 2.3 The description of the premises given by the applicant is Restaurant and Lounge.
- 2.4 **The licensable activities applied for:**

Provision of regulated entertainment (live music, recorded music, performances of dance):
 Mon to Thu 12noon to 2am
 Fri to Sat 12noon to 3am
 Sun 12noon to 2am

Seasonal Variations would be on Christmas Eve, Christmas Day, Boxing Day, New Year's Eve and Eid (dates vary, first day of Eid ul Fitr and First day of Eid ul Adha).

Seasonal variation as stated above for the premises to remain open till 3am

Provision of late night refreshment:
 Mon to Thu 11pm to 2am

Fri to Sat 11pm to 3am
Sun 11pm to 2am

Seasonal Variations would be on Christmas Eve, Christmas Day, Boxing Day, New Year's Eve and Eid (dates vary, first day of Eid ul Fitr and First day of Eid ul Adha).

Seasonal variation as stated above for the premises to remain open till 3am

Opening hours:
Mon to Thu 12noon to 2.15am
Fri to Sat 12noon to 3.15am
Sun 12noon to 2.15am

Seasonal Variations would be on Christmas Eve, Christmas Day, Boxing Day, New Year's Eve and Eid (dates vary, first day of Eid ul Fitr and First day of Eid ul Adha).

Seasonal variation as stated above for the premises to remain open for one additional hour.

- 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**.
3. **Relevant Representations**
- 3.1 A total of Three relevant representations were received in respect of the application (**Appendix 3**). The personal details of all members of the public

have been redacted. Original copies of these representations will be available to the Panel at the hearing.

Responsible Authorities:

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

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	Prevention of Crime and Disorder and the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm. The applicant has shown little understanding of all of the licensing objectives.	Refuse
Licensing and Out of Hours Compliance	Public nuisance. Due to the premises being in a high residential area and that the applicant has given little thought to the needs of residents.	Refuse
Neighbourhood Compliance Team	Public nuisance. Due to their being residential properties nearby, and that the applicant has not shown how noise issues will be mitigated. There are also concerns whether the Lounge is to be Shisha related.	Grant with with conditions

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

3.4 Agreements on conditions have not been reached.

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
- 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
- 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
- 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

Section 9: Alcohol delivery services

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

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

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

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

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

Section 12: Premises Licences for large-scale public events

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

5. Conclusion

- 5.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 5.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must

also be had to relevant provisions of the national guidance and the Council's licensing policy statement.

- 5.3 Having regard to the representations, the Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to:
 - i. the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate, and
 - ii. any mandatory conditions that must be included in the licence;
 - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
 - c) To refuse to specify the person proposed in the application as the designated premises supervisor;
 - d) To reject the application.
- 5.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 5.5 All licensing determinations should be considered on the individual merits of the application.
- 5.6 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 5.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 5.8 **The Panel is asked to determine the application.**

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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 Zameer Hussain

(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 130 Wilmslow Road	
Post town	Manchester
Postcode	M14 4AN
Telephone number at premises (if any)	07715397587
Non-domestic rateable value of premises	£14,000

Part 2 - Applicant details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership please complete section (B)
- ii as a partnership (other than limited liability) please complete section (B)
- iii as an unincorporated association or please complete section (B)
- iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity 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	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname Hussain			First names Zameer		
Date of birth [REDACTED]		I am 18 years old or over		Please tick yes	
Nationality British					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)	[REDACTED]				
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	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)

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

Part 3 Operating Schedule

When do you want the premises licence to start? DD MM YYYY
0 1 | 0 8 | 2 0 | 1 9 | | | |

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

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

Restaurant and Lounge

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
a
p
l
y

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

- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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



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



In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon	12pm	2am	Please give further details here (please read guidance note 4) A performance enhanced by live musicians and amplified recordings	
Tue	12pm	2am		
Wed	12pm	2am	State any seasonal variations for the performance of live music (please read guidance note 5) seasonal Variations would be on Christmas Eve, Christmas Day, Boxing Day, New Years Eve and Eid (dates vary, first day of Eid ul Fitr and First day of Eid ul Adha	
Thur	12pm	2am		
Fri	12pm	3am	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6) seasonal variation as stated above for the to remain open till premissis 3am	
Sat	12pm	3am		
Sun	12pm	2am		

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick	
			Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish	(please read guidance note 3)	
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon	12pm	2am	Please give further details here (please read guidance note 4) A performance enhanced by live musicians and amplified recordings	
Tue	12pm	2am		
Wed	12pm	2am	State any seasonal variations for the playing of recorded music (please read guidance note 5) seasonal Variations would be on Christmas Eve, Christmas Day, Boxing Day, New Years Eve and Eid (dates vary, first day of Eid ul Fitr and First day of Eid ul Adha	
Thur	12pm	2am		
Fri	12pm	3am	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 (please read guidance note 6) seasonal variation as stated above for the to remain open till premissis 3am	
Sat	12pm	3am		
Sun	12pm	2am		

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick	
			Indoors	<input checked="" type="checkbox"/>
Day			(please read guidance note 3)	
			Outdoors	<input type="checkbox"/>
Both			<input type="checkbox"/>	
Mon	12pm	2am	Please give further details here (please read guidance note 4) A performance enhanced by live musicians and amplified recordings	
Tue	12pm	2am		
Wed	12pm	2am	State any seasonal variations for the performance of dance (please read guidance note 5) seasonal Variations would be on Christmas Eve, Christmas Day, Boxing Day, New Years Eve and Eid (dates vary, first day of Eid Fitr and First day of Eid ul Adha)	
Thur	12pm	2am		
Fri	12pm	3am	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 (please read guidance note 6) seasonal variation as stated above for the to remain open till premissis 3am	
Sat	12pm	3am		
Sun	12pm	2am		

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	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			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 (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"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	12pm	2am	Please give further details here (please read guidance note 4) Hot and cold food to be served at the premises.		
Tue	12pm	2am			
Wed	12pm	2am	State any seasonal variations for the provision of late night refreshment (please read guidance note 5) seasonal Variations would be on Christmas Eve, Day, Christmas Boxing Day, New Years Eve and Eid (dates day of Eid ul vary, first Fitr and First day of Eid ul Adha)		
Thur	12pm	2am			
Fri	12pm	3am	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 (please read guidance to note 6) seasonal variation as stated above for the premises remain open till 3am		
Sat	12pm	3am			
Sun	12pm	2am			

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 type="checkbox"/>					
State any seasonal variations for the supply of alcohol (please read guidance note 5)						
Day	Start	Finish				
Mon						
Tue						
Wed						
Thur			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)			
Fri						
Sat						
Sun						

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

Name	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

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).
 NA

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) seasonal Variations would be on Christmas Eve, Christmas Day, Boxing Day, New Years Eve and Eid (dates vary, first day of Eid ul Fitr and First day of Eid ul Adha)
Day	Start	Finish	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 6) We would like the premises to remain open for 1 extra hour as to the standard timings. Thank you.
Mon	12pm	2:15 a m	
Tue	12pm	2:15 a m	
Wed	12pm	2:15 a m	
Thur	12pm	2:15 a m	
Fri	12pm	3:15 a m	
Sat	12pm	3:15 a m	
Sun	12pm	2:15 a m	

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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)

24hr CCTV, Police monitored alarm, SIA registered door staff employed by an agency

b) The prevention of crime and disorder

CCTV, Police monitored alarm, SIA registered door staff employed by an agency

c) Public safety

CCTV, Police monitored alarm, SIA registered door staff employed by an agency

d) The prevention of public nuisance

CCTV, Police monitored alarm, SIA registered door staff employed by an agency

e) The protection of children from harm

CCTV, Police monitored alarm, SIA registered door staff employed by an agency
no under 18s allowed into the premises unless accompanied by an adult

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
--------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> 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	
Date	13/06/2019
Capacity	Architectural Consultant

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

Signature	
Date	
Capacity	

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

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

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The Huntsman Inn
Huntsman Inn, 130 Wilmslow Road, Manchester,
M14 5AH

Premises Licensing
Manchester City Council

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PREMISE NAME: The Huntsman Inn

PREMISE ADDRESS: Huntsman Inn, 130 Wilmslow Road, Manchester, M14 5AH

WARD: Moss Side

HEARING DATE: 07/10/2019



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details	
Application Ref No	235010
Name of Premises	The Huntsman Inn
Address	Huntsman Inn, 130 Wilmslow Road, Manchester, M14 5AH

Representation
<p>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.</p> <p>Licensing and Out of Hours Compliance Team have assessed the likely impact of the granting of this application taking into account a number of factors, including the nature of the area in which the premises is located and the proximity to the residential accommodation, the hours applied for, and any potential risk that the granting of this application could lead to issues of public nuisance.</p> <p>The applicant has failed to provide sufficient information in the application with specific reference to the prevention of public nuisance. Specifically considering it is located in such a heavily populated residential area. It would appear that for each of the licensing objectives the same offer of conditions (which are not enforceable) have been copied and pasted in each objective area. This in itself raises serious concerns that the applicant has not given the application the necessary level of thought, or the issues likely to affect residents.</p> <p>Section 7.1 of Manchester's Statement of Licensing Policy states "Licensed premises are expected to be an asset to their local area through promotion of the licensing objectives." Although the applicant has indicated that they have considered the licensing objectives within the application, they have not offered adequate conditions that can be measured to ensure that these objectives are upheld.</p> <p>We feel that the applicant has failed to state how they will uphold all licensing objectives. The failure to propose adequate conditions to prevent public nuisance causes severe concerns to Licensing and Out Of Hours as the applicants lack of consideration to the local area is apparent. Manchester's Statement of Licensing Policy states in section 7.5 that "applicants are expected to address any local factors relevant to their premises." This has not been satisfied in the application and gives rise to concerns over the applicant's ability to effectively manage the premises.</p> <p>The Licensing and Out of Hours Team, in our capacity as the Environmental Health Responsible Authority, feel the grant of a licence, based on the application submitted, would undermine the licensing objectives and request it to be refused.</p>
Recommendation: Refuse Application



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

Re: Premises Licence (new) 235010/JC1: The Huntsman Inn, Huntsman Inn, 130 Wilmslow Road, Manchester, M14 5AH, (Moss Side ward)

1 message

Emma Hopkins <e.hopkins@manchester.gov.uk>

15 August 2019 at 12:13

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

Hi - hope you are well.

I have concerns with regards to the application for the venue due to the times they are open until: 2:15am during the week and 3:15am at weekend with live entertainment, music etc.

There is a One Manchester housing estate to the rear of the premises which is mainly family dwellings with children, I think there will be issues of noise complaints from the residents of the estate. The application does not include any information as to how the noise from patrons leaving the premises will be mitigated, nor how the noise from the entertainment etc will be checked and regulated outside the premises.

I also noted the premises will be a lounge, is this to be Shisha related if so, I feel that a condition needs to be included to state they cannot breach the Health Act 2006.

I would be grateful if this could be logged in order that the applicant comes back to provide information around how they will deal with these concerns.

Best regards

Emma

Emma Hopkins
Neighbourhood Compliance Team Lead Central
Compliance & Community Safety
Neighbourhoods Directorate

Manchester City Council
Level 1, Active Lifestyles Centre
Denmark Road
Moss Side M15 6FG

POSTAL ADDRESS:
Central Neighbourhood Compliance Team
PO Box 532
Town Hall
Manchester
M60 2LA

Tel : 0161 234 1861
Internal: 31861
Mobile: 07939 927575

e.hopkins@manchester.gov.uk
www.manchester.gov.uk

On Thu, 15 Aug 2019 at 11:49, Premises Licensing <premises.licensing@manchester.gov.uk> wrote:
Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005

Dear Sir / Madam

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

Application Type: Premises Licence (new)

Reference: 235010/DS7

Premises: The Huntsman Inn, Huntsman Inn, 130 Wilmslow Road, Manchester, M14 5AH

Applicant: Mr Zameer Hussain

General description of premises as given by the applicant:

Restaurant and Lounge

Proposed hours and licensable activities:

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

Mon to Thu 12noon to 2am

Fri to Sat 12noon to 3am

Sun 12noon to 2am

Seasonal Variations would be on Christmas Eve, Christmas Day, Boxing Day, New Years Eve and Eid (dates vary, first day of Eid ul Fitr and First day of Eid ul Adha

Seasonal variation as stated above for the premises to remain open till 3am

Provision of late night refreshment:

Mon to Thu 11pm to 2am

Fri to Sat 11pm to 3am

Sun 11pm to 2am

Seasonal Variations would be on Christmas Eve, Christmas Day, Boxing Day, New Years Eve and Eid (dates vary, first day of Eid ul Fitr and First day of Eid ul Adha

Seasonal variation as stated above for the premises to remain open till 3am

Opening hours:

Mon to Thu 12noon to 2.15am

Fri to Sat 12noon to 3.15am

Sun 12noon to 2.15am

Seasonal Variations would be on Christmas Eve, Christmas Day, Boxing Day, New Years Eve and Eid (dates vary, first day of Eid ul Fitr and First day of Eid ul Adha

Seasonal variation as stated above for the premises to remain open for one additional hour.

Steps to promote licensing objectives as given by the applicant:

24hr CCTV, Police monitored alarm, SIA registered door staff employed by an agency

No under 18s allowed into the premises unless accompanied by an ad

The application is in consultation until midnight on 11/09/2019.

Any person wishing to comment on the application must do so in writing to premises.licensing@manchester.gov.uk no later than this date.

Any comments must be relevant to the likely effect of granting the application on the promotion of the four licensing objectives:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety
- The protection of children from harm

If you would like any further information regarding this application please respond to this email with your enquiry.

Further information on the licensing process is available on our website - www.manchester.gov.uk/licensing

Whilst we will normally advise you of all applications within this ward, the council is not legally required to do so. This information is provided as a courtesy to members and residents. There may be occasions when notice is not provided. You should continue to check the council's register of licence applications and notices on premises in your local area.

Yours sincerely

Jean Clarke
Premises Licensing
Growth and Development
Manchester City Council
Level 1 Town Hall Extension
Albert Square
PO Box 532
M60 2LA
Tel: 0161 234 5004 (call centre)
Email: premises.licensing@manchester.gov.uk
Web: www.manchester.gov.uk/licensing

Tell us how we're doing with our [online feedback form](#)

[Please reply with history only and not to individual officers](#)

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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 235010
Name of the Premises	The Huntsman Inn
Address of the premises including postcode	130 Wilmslow Road, Manchester M14 5AH

Your Representation

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

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

The operating schedule which accompanies the application offers hardly anything in terms of enforceable conditions which show how the 4 Licensing Objectives will be upheld.

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

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

We therefore ask that this application is refused.



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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
1. 24hr CCTV, Police monitored alarm, SIA registered door staff employed by an agency 2. No under 18s allowed into the premises unless accompanied by an adult	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
None proposed requested refusal	N/A	GMP
None proposed requested refusal	N/A	Licensing and Out of Hours
Requested applicant to propose conditions re public nuisance (noise)	N/A	Neighbourhood Compliance Team

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 7 October 2019

Subject: Superstar Off Licence, 57-59 Wilmslow Road, Manchester, M14 5TB
- App ref: Premises Licence (new) 236090

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendation

That the Panel determine the application.

Ward Affected: Rusholme

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: Louise Dormer
Position: Technical Licensing Officer
Telephone: 0161 234 1460
E-mail: Louise.dormer@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 20/08/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Superstar Off Licence, 57-59 Wilmslow Road, Manchester, M14 5TB in the Rusholme 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 Superstar (Rusholme) Ltd.
- 2.3 The description of the premises given by the applicant is 'Premises is a shop.'
- 2.4 The proposed designated premises supervisor is Mr Afaq Basharat.

2.5 The licensable activities applied for:

The supply of alcohol for consumption off the premises only:
Mon to Sun 8am to 2am

Opening hours:
Sun to Thurs 8am to 2am and Fri to Sat 8am to 5am

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

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

2.6 **Activities unsuitable for children**

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

2.7 **Steps to promote the licensing objectives**

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

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

3. **Relevant Representations**

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

Responsible Authorities:

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

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	Based around all 4 of the licensing objectives Prevention of Crime and Disorder, Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm. GMP state that operating schedule accompanying the application offers hardly anything in terms of enforceable conditions to show how the licensing objectives will be upheld.	Refuse
Licensing and Out of Hours	With reference to all 4 of the licensing objectives, the offer of conditions show little understanding of each objective area. Taking into account the local area, proximity to	Refuse

Compliance	residential accommodation, hours applied for, the granting of this licence could lead to issues of public nuisance.	
Trading Standards	Based around the protection of children from harm licensing objective, TS say that the application is extremely poor, severe lack of detail and that the applicant is not fully aware of their responsibilities. TS give a list of steps that they would have expected to see on the application.	Refuse

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

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 New Information

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

4.3 Hearsay Evidence

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

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

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

4.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as

licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.

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

4.5 **Manchester Statement of Licensing Policy**

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

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

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

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

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

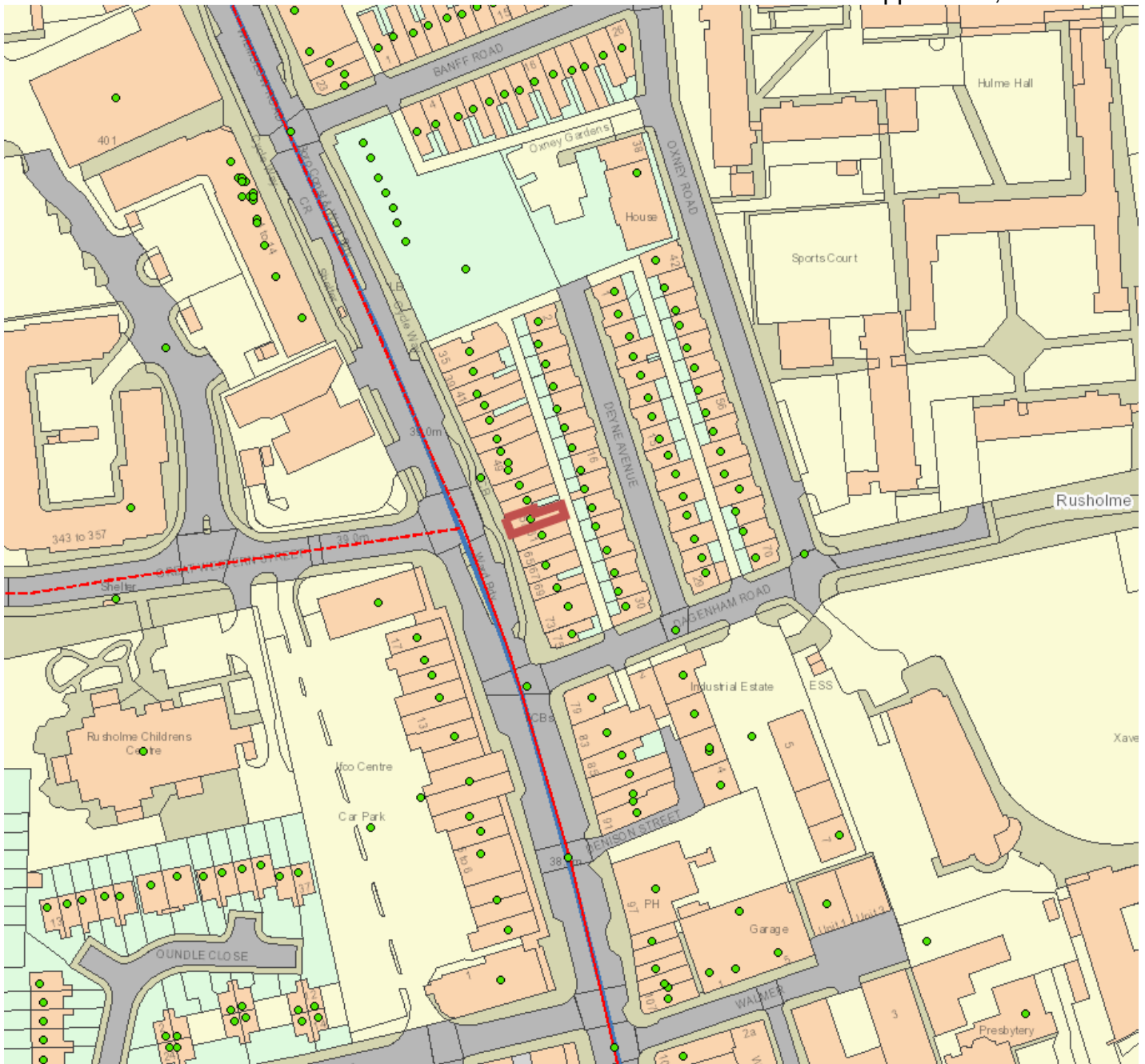
- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS5 Prevent on-street consumption of alcohol
- MS8 Prevent noise nuisance from the premises
- MS10 Operate effective cleansing arrangements, 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
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

Conclusion

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

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

- 4.7 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council's licensing policy statement.
- 4.8 Having regard to the representations, the Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to:
 - i. the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate, and
 - ii. any mandatory conditions that must be included in the licence;
 - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
 - c) To refuse to specify the person proposed in the application as the designated premises supervisor;
 - d) To reject the application.
- 4.9 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 4.10 All licensing determinations should be considered on the individual merits of the application.
- 4.11 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 4.12 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 4.13 **The Panel is asked to determine the application.**



Superstar Off Licence
57-59 Wilmslow Road, Manchester, M14 5TB

Premises Licensing
Manchester City Council

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PREMISE NAME: Superstar Off Licence

PREMISE ADDRESS: 57-59 Wilmslow Road, Manchester, M14 5TB

WARD: Rusholme

HEARING DATE: 07/10/2019

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

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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 SUPERSTAR (RUSHOLME) 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 57-59 WILMSLOW ROAD, MANCHESTER			
Post town	MANCHESTER	Postcode	M14 5TB
Telephone number at premises (if any)	[REDACTED]		
Non-domestic rateable value of premises	£8,300/- 17,000/-		

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 SUPERSTAR (RUSHOLME) LIMITED.
Address 57-59 WILMSLOW ROAD MANCHESTER M14 5TB
Registered number (where applicable) 10535734
Description of applicant (for example, partnership, company, unincorporated association etc.) COMPANY

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	1	0
9	2	0
1	9	

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

DD	MM	YYYY

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

Premises is a shop and its site plan is attached.

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	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Tue					
			<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)		
Wed					
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					
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Tue					
			<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)		
Wed					
Thur					
Fri					
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	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
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 6)		
Fri					
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"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			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 checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	08.00	02.00			
Tue	08.00	02.00			
Wed	08.00	02.00			
Thur	08.00	02.00	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)		
Fri	08.00	02.00			
Sat	08.00	02.00			
Sun	08.00	02.00			

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 AFAQ BASHARAT	
Date of birth	██████████
Address ██████████ ██████████	
Postcode	██████████
Personal licence number (if known) ██████████	
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).

None

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	08.00	02.00	<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>
Tue	08.00	02.00	
Wed	08.00	02.00	
Thur	08.00	02.00	
Fri	08.00	05.00	
Sat	08.00	05.00	
Sun	08.00	02.00	

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)

All efforts shall be made to keep the premises safe and secure and no harm or hindrance caused to the visitors.

b) The prevention of crime and disorder

Any person or activity found to be criminal or against public order shall be instantly notified to the concerned authorities.

c) Public safety

All measures required by law or regulations shall be taken to ensure public safety at the premises.

d) The prevention of public nuisance

It will be ensured that any person or thing should not be causing the nuisance to the public in the premises or outside the premises.

e) The protection of children from harm

It will be ensured that children are protected from any harm at the premises.

Checklist:**Please tick to indicate agreement**

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or
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	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	[REDACTED]
Date	15-08-2019
Capacity	DIRECTOR

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

Signature	
Date	
Capacity	

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

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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 236090
Name of the Premises	Superstar Off Licence
Address of the premises including postcode	57-59 Wilmslow Road, Manchester M14 5TB

Your Representation

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

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

The operating schedule which accompanies the application offers hardly anything in terms of enforceable conditions which show how the 4 Licensing Objectives will be upheld.

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

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

We therefore ask that this application is refused.

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

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

ABOUT THE PREMISES
Application Ref No. (if known):
Name of the Premises about which you would like to make a representation:
Superstar (Rusholme) Limited
Address of the Premises (including postcode if known):
57-57 Wilmslow Road Manchester M14 5TB

YOUR REPRESENTATION
Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)
<p>The application is extremely poor, regarding the children from harm licence objective.</p> <p>Trading standards feels there is a severe lack of detail in the application and the applicant is not fully aware of their responsibilities</p> <p>There is no mention of a challenge policy, which is widely used and accepted throughout the trade as a vital tool to help ensure minors are unable to purchase alcohol. As a responsible authority, we would expect the applicant to give a comprehensive list of steps as to how they will ensure the requirements of the challenge policy are met</p> <p>Staff training and the keeping of documented records, have not be indicated on the application</p>

No signage regarding the sale of alcohol to minors has been included, prominent signage at the point of sale indicating it is an offence to buy or attempt to buy alcohol for a person under 18

Therefore trading standards would like the licence to be refused.

Supporting Evidence: In addition to your own written / oral testimony to the Licensing Sub-Committee, you may wish to provide evidence to support your representation. You will need to show how this evidence relates to the premises in question. Examples of supporting evidence include oral testimony, written testimony, noise records, video or photographic material, crime and disorder data, other statistical data, reports etc.)



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details	
Application Ref No	236090
Name of Premises	Superstar Off Licence
Address	57-59 Wilmslow Road, Manchester, M14 5TB

Representation
<p>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.</p> <p>The Licensing and Out of Hours Compliance Team have assessed the likely impact of the granting of this application taking into account a number of factors, including the nature of the area in which the premises is located and the proximity to the residential accommodation, the hours applied for, and any potential risk that the granting of this application could lead to issues of public nuisance.</p> <p>The applicant has failed to provide sufficient information in the application with specific reference to the prevention of public nuisance. It would appear that for each of the licensing objectives the offer of conditions show little understanding of each objective area. This in itself raises serious concerns that the applicant has not given the application the necessary level of thought, or the issues likely to affect the local area that it is situated in.</p> <p>Section 7.1 of Manchester's Statement of Licensing Policy states "Licensed premises are expected to be an asset to their local area through promotion of the licensing objectives." Although the applicant has indicated that they have considered the licensing objectives within the application, they have not offered adequate conditions that can be measured to ensure that these objectives are upheld.</p> <p>We feel that the applicant has failed to state how they will uphold all licensing objectives. The failure to propose adequate conditions to prevent public nuisance causes severe concerns to Licensing and Out Of Hours as the applicants lack of consideration to the local area is apparent. Manchester's Statement of Licensing Policy states in section 7.5 that "applicants are expected to address any local factors relevant to their premises." This has not been satisfied in the application and gives rise to concerns over the applicant's ability to effectively manage the premises.</p> <p>The Licensing and Out of Hours Team, in our capacity as the Environmental Health Responsible Authority, feel in the strongest possible way, the grant of a licence, based on the application submitted, would undermine the licensing objectives and request it to be refused.</p>
Recommendation: Refuse Application

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. All efforts shall be made to keep the premises safe and secure and no harm or hindrance caused to the visitors. 2. Any person or activity found to be criminal or against public order shall be instantly notified to the concerned authorities. 3. All measures required by law or regulations shall be taken to ensure safety at the premises. 4. It will be ensured that any person or thing should not be causing the nuisance to the public in the premises or outside the premises. 5. It will be ensured that children are protected from any harm at the premises. 	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
None	N/A	GMP
None	N/A	Licensing & Out of Hours
None	N/A	Trading Standards

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