



Licensing Sub Committee Hearing Panel

Date: Monday, 4 November 2019

Time: 10.00 am

Venue: Council Antechamber - Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Access to the Council Antechamber

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

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

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Grimshaw (Deputy Chair), Flanagan and T Judge

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 Premises Licence variation - Peaky Blinders, 23 Peter Street, Manchester, M2 5QJ

5 - 68

Report of the Director of Planning, Building Control & Licensing is enclosed.

Information about the Committee

The Licensing Sub-Committee Hearing Panel fulfills the functions of the Licensing Authority in relation to the licensing of premises.

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

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

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

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

Smoking is not allowed in Council buildings.

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

Further Information

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

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This agenda was issued on **Thursday, 24 October 2019** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 4 November 2019

Subject: Peaky Blinders, 23 Peter Street, Manchester, M2 5QJ - App ref: Premises Licence variation 237516

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendations

That the Committee determine the application.

Wards Affected: Deansgate

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

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

Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 19/09/2019, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of Peaky Blinders, 23 Peter Street, Manchester, M2 5QJ in the Deansgate ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. Current Licence

- 2.1 The premises licence holder is PB Manchester Ltd and a copy of the current licence is attached at **Appendix 2**.

3. The Application

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

Vary the layout of the premises in accordance with the plans submitted with this application;

Add the sale of alcohol for consumption off the premises;

In light of the above, add the following condition: 'Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area for the use of customers of the premises.'

Amend condition 8 of annex 2 so that it reads as follows: 'From Sundays – Wednesdays when the premises trades beyond midnight a minimum of 1 SIA registered door supervisor shall be employed at the premises from 22:00 until close. From Thursdays – Saturdays when the premises trades beyond midnight, a minimum of 2 SIA registered door supervisors shall be employed at the premises from 22:00 until close. Where necessary, further door supervisor(s) shall be employed based on capacity at a ratio of 1:100 customers. At all other

times, SIA registered door supervisors shall be employed if necessary in accordance with a risk assessment to be carried out by the DPS.’;

Remove condition 12 of annex 2 and conditions 3 – 6 of annex 3;

In light of the above, add the following condition: ‘Externally promoted events shall only be permitted with the prior approval of GMP and the Licensing and Out of Hours Team, who are to be given a minimum of 7 days’ notice of such events.’

Amend condition 14 of annex 3 so that it reads as follows: ‘There shall be a designated outside smoking area for the premises which shall be covered by CCTV and monitored by staff and/or door staff (when employed) to ensure it is well managed and that customers are only permitted to smoke in the designated area.’

There are to be no other changes to the licence.

Proposed hours and licensable activities:

Supply of alcohol for consumption both on and off the premises (currently for consumption on the premises only):

Current hours/Proposed hours: Sun to Thu 10am to 3am, Fri to Sat 10am to 4am

Steps to promote licensing objectives as given by the applicant

Conditions attached to existing premises licence and additional conditions proposed above.

- 3.2.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 3.2.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 3**.
- 3.3 **Activities unsuitable for children**
 - 3.3.1 The applicant has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
- 3.4 **Steps to promote the licensing objectives**
 - 3.4.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.
 - 3.4.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 6**.
- 3.5 **Further documentation accompanying the application**

3.5.1 The applicant has submitted the following documents in support of their application, which are included with the application form at **Appendix 4**:

- Plan of Premises
- Current Plans (**Appendix 7**)

4. Relevant Representations

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

Responsible Authorities:

- Licensing Authority

4.2 Summary of the representations:

Party	Grounds of representation	Recommends
Licensing Authority	Concerns that this variation would be likely to adversely impact on the licensing objectives. In particular relating to the use of door supervisors; the consumption of alcohol in public areas; the potential change from restaurant to dance/alcohol led venue; congestion in the smoking area and; that appropriate measures should be in place for external events.	Not stated

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

5. Key Policies and Considerations

5.1 Legal Considerations

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

5.2 New Information

5.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations

or notice either before the hearing or, with the consent of all parties, at the hearing.

5.3 Hearsay Evidence

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

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

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

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

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

5.5 Manchester Statement of Licensing Policy

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

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

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

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

Section 6: What we aim to encourage

This section identifies certain types of venues and initiatives the licensing authority aims to encourage in order to promote an inclusive evening and night-

time economy not simply focused on the consumption of alcohol. We aim to encourage:

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

Section 7: Local factors

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

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

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- Consistency with relevant Council strategies

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
- MS7 Maintain a safe capacity
- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)

6. Conclusion

- 6.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 6.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 6.3 The Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate;
 - b) To reject the whole or part of the application
- 6.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 6.5 However, conditions should not be imposed on a licence which are unrelated to the variation sought.

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

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Peaky Blinders
Ground & First Floor, 23 Peter Street, Manchester,
M2 5QJ

Premises Licensing
Manchester City Council

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Survey100019568.



PREMISE NAME: Peaky Blinders

PREMISE ADDRESS: Ground & First Floor, 23 Peter Street, Manchester, M2 5QJ

WARD: Deansgate

HEARING DATE: 04/11/2019

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

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MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	162627
Granted	01/07/2014
Latest version	DPS variation 237543 granted 04/10/2019

Part 1 - Premises details

Name and address of premises
Peaky Blinders Ground & First Floor, 23 Peter Street, Manchester, M2 5QJ
Telephone number
0161 850 1522

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

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	0300	0300	0300	0300	0400	0400	0300
The sale of alcohol is licensed for consumption on the premises only.							
Seasonal variations and Non-standard Timings:							
<u>Chinese New Year's Eve and New Year's Day:</u> One additional hour							
<u>Friday, Saturday and Sunday preceding a Bank Holiday Monday:</u> One additional hour							
<u>New Year:</u> From the start time on New Year's Eve to the terminal hour for New Year's Day							
<u>On the day British Summer Time commences:</u> one additional hour following the terminal hour.							

Exhibition of films; Live music; Recorded music							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	0300	0300	0300	0300	0400	0400	0300
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
<u>Chinese New Year's Eve and New Year's Day:</u> One additional hour							
<u>Friday, Saturday and Sunday preceding a Bank Holiday Monday:</u> One additional hour							
<u>New Year:</u> From the start time on New Year's Eve to the terminal hour for New Year's Day							
<u>On the day British Summer Time commences:</u> one additional hour following the terminal hour.							

Provision of late night refreshment**Standard timings**

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0300	0300	0300	0300	0400	0400	0300

Licensed to take place indoors only.

Seasonal variations and Non-standard Timings:

Chinese New Year's Eve and New Year's Day: One additional hour

Friday, Saturday and Sunday preceding a Bank Holiday Monday: One additional hour

New Year: From 2300 New Year's Eve until 0500 New Year's Day

On the day British Summer Time commences: one additional hour following the terminal hour.

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

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	0330	0330	0330	0330	0430	0430	0330

Seasonal variations and Non-standard Timings:

Chinese New Year's Eve and New Year's Day: One additional hour

Friday, Saturday and Sunday preceding a Bank Holiday Monday: One additional hour

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

On the day British Summer Time commences: one additional hour following the terminal hour.

Part 2**Details of premises licence holder**

Name: PB Manchester Ltd
Address: Ground & 1st floor, 23 Peter Street, Manchester, M2 5QR
Registered number: 11426491

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

Name: Paul James Wilsdon
Address: [REDACTED]
Personal Licence number: 161758
Issuing Authority: Manchester City Council

Annex 1 – Mandatory conditions**Door Supervisors**

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

Supply of alcohol

2. No supply of alcohol may be made under this premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence or,
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

3. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
- (a) a holographic mark, or
- (b) an ultraviolet feature.
5. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
- (2) For the purposes of the condition set out in (1) above–
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) “permitted price” is the price found by applying the formula–
- $$P = D + (D \times V)$$
- where –
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
8. The responsible person must ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

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

Exhibition of films

9. The admission of children under the age of 18 to film exhibitions permitted under the terms of this certificate shall be restricted in accordance with any recommendations made:
- (a) by the British Board of Film Classification (BBFC) where the film has been classified by that Board, or
 - (b) by the Licensing Authority where no classification certificate has been granted by the BBFC, or where the licensing authority has notified the club which holds the certificate that section 20 (3) (b) (74 (3)(b) for clubs) of the Licensing Act 2003 applies to the film.

Annex 2 – Conditions consistent with the operating schedule

1. Any area where customers have legitimate access shall be sufficiently illuminated for the purposes of CCTV.
2. CCTV shall be in operation at all times the premises is open to trade.
3. CCTV maintenance records shall be kept with details of contractor used and work carried out shall be recorded.
4. Where CCTV is recorded on to a hard drive system any DVDs subsequently produced shall be in a format so it can be played back on a standard personal computer or standard DVD player.
5. Any person left in charge of the premises shall be trained in the use of any such CCTV equipment and able to produce / download / burn CCTV images upon request by a person from a responsible authority.
6. Plans indicating the position of CCTV cameras shall be submitted to the responsible bodies within one week of the granting of a licence requiring CCTV.
7. CCTV shall be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises and all areas where the sale/supply of alcohol occurs. Equipment shall be maintained in good working order correctly timed & date stamped; recordings shall be kept in date order, numbered consequentially and kept for a period of 31 days and handed to Police on request. The Recording equipment and tapes shall be kept in a secure environment under the control of the Licensee or other responsible named individual. Appropriate signage representative of the above shall be placed in conspicuous positions.
8. Whenever licensable activities continue after midnight a minimum of two SIA registered door staff shall be on duty no later than 2200. A further door supervisor shall be employed based on capacity at a ratio of 1:100 customers (e.g. 290 customers = 3 x SIA).
9. Door Supervisors and Security Attendants at all times when on duty will wear an identity badge, conspicuously displayed and in a form and manner prescribed by the SIA
10. Door staff shall sign on and off duty in a book kept for that purpose and all entries shall be checked and signed by the DPS or their nominated deputy.
11. An additional book shall be kept at the premises which shall contain the full names, current addresses, dates of birth, badge number and up to date photograph of all door staff who work at the premises.
12. No 'stand-alone' dance events shall take place at the premises.
13. Signs requesting that customers leave the premises quietly having respect for nearby residents shall be displayed at the exit.
14. No glassware shall be collected from the premises or be disposed of into outside waste receptacles between 2200 and 0800.
15. A taxi ringback scheme shall be operated.
16. A Challenge 25 policy shall be in force at all times, requiring production of valid photographic ID.
17. A refusals book containing records of instances/persons who have been refused the supply of alcohol on the basis of their perceived age shall be completed and maintained.
18. Staff shall be trained (and undergo regular refresher training) in respect of the sale of all age-restricted goods (including awareness/prevention of proxy sales) - such training sessions shall be documented and records made available to authorised persons from Responsible Authorities..
19. Customers shall be actively encouraged to leave the premises quietly.
20. Children accompanied by an adult, shall be allowed on the premises until 19.30 after which time no children shall be allowed on the premises.
21. All windows and doors will remain closed from 21:00 onwards to abate noise pollution.
22. The outside drinking area will not be used after 23:00.
23. All health and safety/fire safety etc requirements will be complied with.

Annex 3 – Conditions attached after hearing by the licensing authority

1. Noise from patrons of the premises or from regulated entertainment at the premises shall not cause a noise nuisance at the nearest sensitive receptor.
2. Written policies with regards to smoking, queuing and dispersal shall be approved with Environmental Health and Greater Manchester Police – these policies shall not be modified otherwise than in consultation with and with the agreement of Environmental Health and Greater Manchester Police.
3. The first floor of the premises (Ocean Treasure) shall operate as a restaurant with ancillary bar. On the first floor, alcohol shall be sold either to persons dining at the premises, or for pre and post meal drinks for those diners.
4. There shall be no designated area for dancing on the first floor.
5. On giving no less than 7 days' notice to GMP of a private, pre-arranged function which is due to take place on the first floor, this area may be used for dancing subject to a GMP veto. Such notice shall be given to GMP by email and shall include the nature of the event, organisers name and telephone number. If GMP objects to the event in writing (by email) within 48 hours, no dancing shall be permitted during the function.
6. Hours for licensable activities on New Year's Eve shall be restricted to 0400.
7. On Thursdays, Fridays and Saturdays, a minimum of 2 SIA door supervisors shall be employed from 2200. Further door supervisors shall be employed based on capacity at a ratio of 1:100 customers (e.g. 290 customers = 3 x SIA).
8. On notification to the DPS by GMP or Cityco of the name and photograph of any "undesirable" the DPS shall use his/her best endeavours to ensure that such person is not admitted to the premises.
9. The premises shall operate a music policy, dress code policy, glass policy and emergency response plan, which shall be agreed with GMP and lodged with the licensing authority.
10. From 2100 hours each day the NiteNet radio system shall be operated at the premises.
11. At least one member of door staff situated at the entrance to the premises shall wear and use a body cam to capture incidents of violence and/or anti social behaviour.
12. The premises shall give Greater Manchester Police at least 14 days' notice of any externally promoted events taking place at the premises.
13. There shall be at least one personal licence holder on duty at all times the premises are open to the public.
14. An outside smoking area situated on Jerusalem Place shall be monitored by door staff to ensure it is well managed and customers only smoke in the designated area. Customers permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

Annex 4 – Plans

See attached

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

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Application to vary a premises licence under the Licensing Act 2003**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I/We PB Manchester Limited

(Insert name(s) of applicant)

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

Premises licence number 162627
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Peaky Blinders, Ground and First Floor, 23 Peter Street			
Post town	Manchester	Postcode	M2 5QJ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£Unknown

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	156 Prescott Road		
Post town	St Helens	Postcode	WA10 3TU

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

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

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

The purpose of this application is to:

- Vary the layout of the premises in accordance with the plans submitted with this application;
- Add the sale of alcohol for consumption off the premises;
- In light of the above, add the following condition: 'Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area for the use of customers of the premises.'
- Amend condition 8 of annex 2 so that it reads as follows: 'From Sundays – Wednesdays when the premises trades beyond midnight a minimum of 1 SIA registered door supervisor shall be employed at the premises from 22:00 until close. From Thursdays – Saturdays when the premises trades beyond midnight, a minimum of 2 SIA registered door supervisors shall be employed at the premises from 22:00 until close. Where necessary, further door supervisor(s) shall be employed based on capacity at a ratio of 1:100 customers. At all other times, SIA registered door supervisors shall be employed if necessary in accordance with a risk assessment to be carried out by the DPS.';
- Remove condition 12 of annex 2 and conditions 3 – 6 of annex 3;
- In light of the above, the add the following condition: 'Externally promoted events shall only be permitted with the prior approval of GMP and the Licensing and Out of Hours Team, who are to be given a minimum of 7 days' notice of such events.'
- Amend condition 14 of annex 3 so that it reads as follows: 'There shall be a designated outside smoking area for the premises which shall be covered by CCTV and monitored by staff and/or door staff (when employed) to ensure it is well managed and that customers are only permitted to smoke in the designated area.'

There are to be no other changes to the licence.

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

Part 4 Operating Schedule

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

- | Provision of regulated entertainment (Please see guidance note 3) | 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 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
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 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			Indoors <input type="checkbox"/>
Day	Start	Finish	
Mon			Both <input type="checkbox"/>
Tue			
Wed			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)
Thur			
Fri			<u>Please give further details here</u> (please read guidance note 5)
Sat			
Sun			
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)
			<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 7)

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			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 4)	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 5)		
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 6)		
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 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)					
Mon								
Tue								
Wed								
Thur								
Fri								
Sat								
Sun								
						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 7)		
Thur								
Fri								
Sat								
Sun								

K

<p>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 10).</p> <p>n/a</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	10:00	03:30	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7)</p> <p>Chinese New Year's Eve and New Year's Day: one additional hour.</p> <p>Friday, Saturday and Sunday preceding a Bank Holiday: one additional hour.</p> <p>New Year: from the start time on New Year's Eve to the terminal hour for New Year's Day.</p> <p>On the day British Summer Time commences: one additional hour following the terminal hour.</p>
Tue	10:00	03:30	
Wed	10:00	03:30	
Thur	10:00	03:30	
Fri	10:00	04:30	
Sat	10:00	04:30	
Sun	10:00	03:30	

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

Condition 12 of annex 2 and conditions 3 – 6 of annex 3 as noted above.

Please tick as appropriate

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

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

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

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

Please see conditions attached to existing premises licence and additional conditions proposed above.

b) The prevention of crime and disorder

Please see conditions attached to existing premises licence and additional conditions proposed above.

c) Public safety

Please see conditions attached to existing premises licence and additional conditions proposed above.

d) The prevention of public nuisance

Please see conditions attached to existing premises licence and additional conditions proposed above.

e) The protection of children from harm

Please see conditions attached to existing premises licence and additional conditions proposed above.

Checklist:

Please tick to indicate agreement

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

IT IS AN OFFENCE, 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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	Kuit Steinart Levy LLP
Date	19 September 2019
Capacity	Solicitors and Authorised Agents

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Kuit Steinart Levy LLP, 3 St Mary’s Parsonage

Post town	Manchester	Post code	M3 2RD
Telephone number (if any)	[REDACTED]		

<p>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</p> <p>████████████████████</p>
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Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

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

- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.

12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

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

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From: **Fraser Swift** <f.swift@manchester.gov.uk>
 Date: Wed, 16 Oct 2019 at 18:42
 Subject: Re: Premises Licence variation application 237516/PW5: Peaky Blinders, Ground & First Floor, 23 Peter Street, Manchester, M2 5QJ, (Deansgate ward)
 To: Premises Licensing <premises.licensing@manchester.gov.uk>

This representation is submitted in respect of the variation (237516) to remove/amend conditions of the current premises licence for Peaky Blinder, on behalf of the licensing authority, as a responsible authority under the Licensing Act 2003.

Having considered the proposals, I would make the following comments:

1. Amend condition 8 of annex 2 so that it reads as follows: 'From Sundays – Wednesdays when the premises trades beyond midnight a minimum of 1 SIA registered door supervisor shall be employed at the premises from 22:00 until close. From Thursdays – Saturdays when the premises trades beyond midnight, a minimum of 2 SIA registered door supervisors shall be employed at the premises from 22:00 until close. Where necessary, further door supervisor(s) shall be employed based on capacity at a ratio of 1:100 customers. At all other times, SIA registered door supervisors shall be employed if necessary in accordance with a risk assessment to be carried out by the DPS.';

This would conflict/duplicate condition 7 in Annex 3 (On Thursdays, Fridays and Saturdays, a minimum of 2 SIA door supervisors shall be employed from 2200. Further door supervisors shall be employed based on capacity at a ratio of 1:100 customers (e.g. 290 customers = 3 x SIA).)

I would like more detail on the practicalities on how door supervision would be provided; for example if 1 door supervisor is on duty, will capacity be limited to 100 until additional door supervision can be provided. I would also like to review the risk assessment it is proposed to be used to assess the need for door staff. in order to be satisfied that it is sufficient to ensure the provision of effective security at the venue.

2. Add the sale of alcohol for consumption off the premises;

I would like more detail on what alcoholic products it is proposed to sell for consumption off the premises. Whilst it is proposed to limit the removal of open containers, more detail is needed to properly consider the risk of patrons consuming alcohol in public areas once they have left the licensed premises.

It is proposed to remove condition 12 of annex 2 and conditions 3 – 6 of annex 3.

which are:

No 'stand-alone' dance events shall take place at the premises. (Annex 2, condition 12)

Conditions 3-6, Annex 3:

3. *The first floor of the premises (Ocean Treasure) shall operate as a restaurant with ancillary bar. On the first floor, alcohol shall be sold either to persons dining at the premises, or for pre and post meal drinks for those diners.*
4. *There shall be no designated area for dancing on the first floor*
5. *On giving no less than 7 days' notice to GMP of a private, pre-arranged function which is due to take place on the first floor, this area may be used for dancing subject to a GMP veto. Such notice shall be given to GMP by email and shall include the nature of the event, organisers name and telephone number. If GMP objects to the event in writing (by email) within 48 hours, no dancing shall be permitted during the function*
6. *Hours for licensable activities on New Year's Eve shall be restricted to 0400.*

There are no details provided in the application as to what will replace the Ocean Treasure restaurant function. The effect of the removal of these conditions is likely to have a significant impact on how this premises operates, particularly the removal of the restaurant-nature of the first floor. I am concerned that this creates the potential for the premises to be increasingly alcohol-led.

This premises was previously subject to a condition (removed earlier in 2019) that *'No less than 2/3rds of the trading area shall be set out for dining'*. This further variation would continue the evolution away from a predominantly restaurant use, which are typically lower-risk, towards a predominantly alcohol-led venue, which is typically higher-risk.

3. Amend condition 14 of annex 3 so that it reads as follows: 'There shall be a designated outside smoking area for the premises which shall be covered by CCTV and monitored by staff and/or door staff (when employed) to ensure it is well managed and that customers are only permitted to smoke in the designated area.'

Another of the issues in this area is congestion and further detail on this proposed area is required to ensure it does not exacerbate existing problems.

4. add the following condition: 'Externally promoted events shall only be permitted with the prior approval of GMP and the Licensing and Out of Hours Team, who are to be given a minimum of 7 days' notice of such events.'

As the licensing authority, further information is required as to what circumstances an external promotion would be held and the proposed nature of such events. The licensing authority is responsible for authorising licensable activity and so it is appropriate that it is satisfied there are appropriate measures in place for the operation of such events.

5. change to the layout of the premises

Depending on the responses to issues raised in respect of previous points will impact on whether the proposed layout is appropriate for the promotion of the licensing objectives having regard to the operation of the venue.

Conclusion

Peter Street has seen a renaissance over recent years but there are practical arising as a result including congestion and alcohol-related issues. An Alcohol Treatment referral unit is now situated on Peter Street in response to alleviating the alcohol-related issues in this area. The prospect of having an increasingly large bar/club in this area would be likely to exacerbate local issues..

Paragraphs 8.41 – 8.49 of the s182 Guidance and Section 7 of the Council's Licensing Policy sets out that applicants are expected to take into account relevant to the individual characteristics of the premises and locality when preparing their operating schedule and applicants are encouraged to identify relevant factors through risk assessment of the local area of the premises before making the application. There is no suggestion that this has been done in respect of this application.

Section 8 of the Licensing Policy sets out a range of standards identified by the Council that is expected of licensed premises in Manchester. The applicant has not addressed these standards with respect to their premises and there is no evidence of any consideration (e.g. by way of risk assessment) of their premises relative to the standards or explanation for this omission, as recommended (8.3 of the Policy).

The policy sets out that Applicants are expected to consider and propose all standards they regard as appropriate to promote the licensing objectives with respect to the individual circumstances of their application.

The application proposes no further additional measures to promote the licensing objectives. Clearly there is an intention to modify the operation of the venue through the modification of the licence conditions, and having regard to the expectations of the Policy. I think further explanation is needed as to why it is considered no additional measures are appropriate for the promotion of the licensing objectives.

For the reasons above, I have concerns that this variation would be likely to adversely impact on the licensing objectives.

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Fraser Swift
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Schedule of Licence Conditions

Conditions consistent with the operating schedule (to be added)	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area for the use of customers of the premises. 2. Externally promoted events shall only be permitted with the prior approval of GMP and the Licensing and Out of Hours Team, who are to be given a minimum of 7 days' notice of such events. 	N/A	Applicant
Conditions consistent with the operating schedule (to be amended)	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Amend condition 8 of annex 2 so that it reads as follows: 'From Sundays – Wednesdays when the premises trades beyond midnight a minimum of 1 SIA registered door supervisor shall be employed at the premises from 22:00 until close. From Thursdays – Saturdays when the premises trades beyond midnight, a minimum of 2 SIA registered door supervisors shall be employed at the premises from 22:00 until close. Where necessary, further door supervisor(s) shall be employed based on capacity at a ratio of 1:100 customers. At all other times, SIA registered door supervisors shall be employed if necessary in accordance with a risk assessment to be carried out by the DPS.' 2. Amend condition 14 of annex 3 so that it reads as follows: 'There shall be a designated outside smoking area for the premises which shall be covered by CCTV and monitored by staff and/or door staff (when employed) to ensure it is well managed and that customers are only permitted to smoke in the designated area.' 	N/A	Applicant
Conditions consistent with the operating schedule (to be removed)	Agreed	Proposed by
<ol style="list-style-type: none"> 1. No 'stand-alone' dance events shall take place at the premises. (Annex 2, condition 12) 2. The first floor of the premises (Ocean Treasure) shall operate as a restaurant with ancillary bar. On the first floor, alcohol shall be sold either to persons dining at the premises, or for pre and post meal drinks for those diners. (Annex 3, condition 3) 3. There shall be no designated area for dancing on the first floor. (Annex 3, condition 4) 4. On giving no less than 7 days' notice to GMP of a private, pre-arranged function which is due to take place on the first floor, this area may be used for dancing subject to a GMP veto. Such notice 	N/A	Applicant

Schedule of Licence Conditions

<p>shall be given to GMP by email and shall include the nature of the event, organisers name and telephone number. If GMP objects to the event in writing (by email) within 48 hours, no dancing shall be permitted during the function. (Annex 3, condition 5)</p>		
<p>5. Hours for licensable activities on New Year's Eve shall be restricted to 0400. (Annex 3, condition 6)</p>		

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

Document is Restricted

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