



Licensing Sub Committee Hearing Panel

Date: Monday, 3 February 2020

Time: 10.10 am (or at the rise of Licensing and Appeals
Sub-Committee Hearing Panel)

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, Hewitson and Jeavons

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: Krispy Fried Chicken & Shake House, 106 Mauldeth Road, Manchester, M14 6SQ

5 - 80

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

5. Application for a New Premises Licence: Brewdog, 18-20 Fountain Street, Manchester, M2 2AR

81 - 156

The report of the Head of Planning, Building Control and 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:

Ian Hinton-Smith
Tel: 0161 234 3043
Email: i.hintonsmith@manchester.gov.uk

This agenda was issued on **Thursday, 23 January 2020** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

This page is intentionally left blank

**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 3 February 2020

Subject: Krispy Fried Chicken and Shake House, 106 Mauldeth Road, M14 6SQ - Application ref: Premises Licence (new) 240617

Report of: Director of Planning, Building Control and Licensing

Summary

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

Recommendations

That the Panel determine the application.

Wards Affected: Withington

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

Background documents (available for public inspection):

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

1. **Introduction**

- 1.1 On 12/12/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Krispy Fried Chicken & Shake House, 106 Mauldeth Road, Manchester, M14 6SQ in the Withington 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 Waqas Ayub.
- 2.3 The description of the premises given by the applicant is "fast food takeaway".
- 2.4 **The licensable activities applied for:**
 - Provision of late night refreshment:
Mon to Sun 11pm to 5am
 - Opening hours:
Mon to Sun 4pm to 5am
- 2.4.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 2.4.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.

2.5 **Activities unsuitable for children**

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

2.6 **Steps to promote the licensing objectives**

- 2.6.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.
- 2.6.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 4**.

2.7 **Further documentation accompanying the application**

No further documentation has been submitted in support of the application.

3. **Relevant Representations**

- 3.1 A total of four 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

Other Persons:

- Ward Councillor
- Resident x1

- 3.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP - AGREED	The representation comments that “the operating schedule which accompanies the application offers conditions but these need to be worded more robustly to show how the four Licensing Objectives will be upheld.” The basis of the agreement is that conditions covering CCTV, keeping of an incident log, and training of staff will be added to the licence if granted. The conditions are included in full in Appendix 4.	Grant with conditions

Licensing and Out of Hours Compliance - AGREED	<p>This team's representation has been agreed on the basis that:</p> <ul style="list-style-type: none"> • conditions are to be added to the licence, if granted; and • that the finish time is amended from 5am to 2am each day. <p>The agreed conditions are included in full in appendix 4.</p>	Grant with conditions
Councillor	<p>This representation raises concerns regarding</p> <ul style="list-style-type: none"> • breaches in relation to hours that have taken place at the premises, and what this means in terms of upholding the objectives • the potential for nuisance caused by littering; and • the potential for nuisance in relation to the proposed late closing time, which is considered to be inappropriate for the area. 	Not stated
Resident	<p>This representation objects to the application for the following reasons:</p> <ul style="list-style-type: none"> • existing littering problems in the area are likely to be exacerbated; and • potential for late-night noise nuisance. 	Refuse

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

3.4 Agreements on conditions have been reached with Greater Manchester Police and the Licensing and Out of Hours Enforcement Team. The agreements are included along with the representations in **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:

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Ability to clean and maintain the street scene

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

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

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

adequate arrangements for the secure and responsible storage of refuse

Conclusion

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

4.13 **The Panel is asked to determine the application.**

This page is intentionally left blank



Krispy Fried Chicken & Shake House
106 Mauldeth Road, Manchester, M14 6SQ

Premises Licensing
Manchester City Council

© Crown copyright and database rights 2018. Ordnance
Survey100019568.



PREMISE NAME:	Krispy Fried Chicken & Shake House
PREMISE ADDRESS:	106 Mauldeth Road, Manchester, M14 6SQ
WARD:	Withington
HEARING DATE:	03/02/2020

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

Document is Restricted

This page is intentionally left blank

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 WAQAS AYUB
(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 KRISPY FRIED CHICKEN AND SHAKEHOUSE 106 MAULDETH ROAD			
Post town	MANCHESTER	Postcode	M14 6SQ
Telephone number at premises (if any)		0161 4458880	
Non-domestic rateable value of premises		£15,000	

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 checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | <input 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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname AYUB			First names WAQAS		
Date of birth		I am 18 years old or over <input checked="" 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)					

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
29	11	2019

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

DD	MM	YYYY

 N/A

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

THE PREMISES IS A FAST FOOD TAKEAWAY
 WHERE ONLY HOT AND COLD FOOD/DRINKS
 WILL BE SOLD.
 NO ALCOHOL WILL BE SOLD AT THE TAKEAWAY.

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

N/A

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)			Will the performance of a play 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 performing plays</u> (please read guidance note 5)		
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 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"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon				Please give further details here (please read guidance note 4)	
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
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					

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			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)			
Wed						
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						

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				<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)
Thur				
Fri				
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)		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 the performance of live music (please read guidance note 5)			
Thur						
Fri			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)			
Sat						
Sun						

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 (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						
			State any seasonal variations for the playing of recorded music (please read guidance note 5)			
Wed						
Thur						
			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)			
Fri						
Sat						
Sun						

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 (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			State any seasonal variations for the performance of dance (please read guidance note 5)		
Wed			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)		
Thur					
Fri					
Sat					
Sun					

H

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	16:00	05:00	<u>Please give further details here</u> (please read guidance note 4) SERVING HOT AND COLD FOOD + DRINKS AT THE PREMISES. NO ALCOHOL		
Tue	16:00	05:00			
Wed	16:00	05:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) THROUGHOUT THE YEAR FOOD WILL BE SERVED INSIDE THE PREMISES.		
Thur	16:00	05:00			
Fri	16:00	05:00	<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) N/A		
Sat	16:00	05:00			
Sun	16:00	05:00			

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"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
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 6)		

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

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).

NONE

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) N/A
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) N/A
Mon	16:00	05:00	
Tue	16:00	05:00	
Wed	16:00	05:00	
Thur	16:00	05:00	
Fri	16:00	05:00	
Sat	16:00	05:00	
Sun	16:00	05:00	

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)

b) The prevention of crime and disorder

AS A LATE NIGHT REFRESHMENT PREMISES, CUSTOM WILL NOT BE SOUGHT BY MEANS OF PERSONAL SOLICITATION OUTSIDE OR IN THE VICINITY OF THE PREMISES.
CCTV WILL BE INSTALLED VERY SOON AT THE PREMISES.

c) Public safety

ALL PART OF THE PREMISES AND ALL FITTINGS AND APPARATUS THEREIN, DOOR FASTENINGS AND NOTICES AND THE SEATING, LIGHTING, HEATING, ELECTRICAL, WASHING FACILITIES AND OTHER INSTALLATIONS WILL BE MAINTAINED AT ALL TIMES IN GOOD ORDER AND IN A SAFE CONDITION.

d) The prevention of public nuisance

- PROMINENT CLEAR AND LEGIBLE NOTICES will BE DISPLAYED AT THE ENTRANCE + EXIT REQUESTING THE PUBLIC TO RESPECT THE NEEDS OF NEARBY RESIDENTS AND TO LEAVE THE PREMISES AND THE AREA QUIETLY.
- CUSTOMERS WILL BE ASKED NOT TO STAND AROUND TAKING IN THE STREET OUTSIDE THE PREMISES + ASKED TO LEAVE QUICKLY + QUIETLY.

e) The protection of children from harm

- SAFEGUARDING MAKE SURE THEY ARE SAFE AND PROTECTED.
- ENSURE CHILDREN ARE ACCOMPANIED AT ALL TIMES WHEN AT THE PREMISES.
- AWAY FROM ANY MACHINERY AND NOT LEFT ON THEIR OWN.

Checklist:**Please tick to indicate agreement**

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

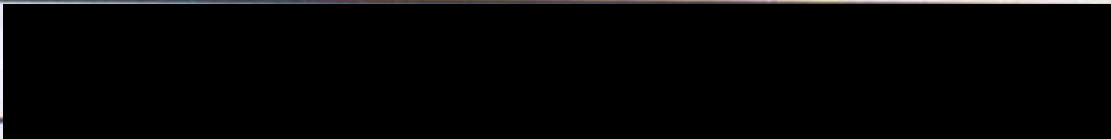
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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

Part 4 – Signatures (please read guidance note 11)

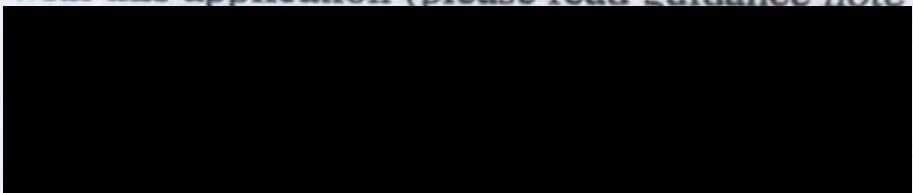

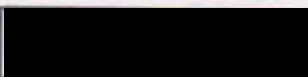
Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

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

	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	22-11-19
Capacity	APPLICANT

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.

Document is Restricted

This page is intentionally left blank

Agreement with Greater Manchester Police

From: <Alan.Isherwood@gmp.police.uk>

Date: Wed, 15 Jan 2020 at 06:49

Subject: RE: REPRESENTATION from GMP 240617/HH1 Krispy Fried Chicken & Shake House

To: [REDACTED], <premises.licensing@manchester.gov.uk>

Cc: <CentralLicensing@gmp.police.uk>

Dear All,

In view of the email form the applicant, in which all the conditions requested by GMP are agreed, we are happy for the licence to be granted with those conditions attached.

Please can this application now be shown as agreed between the applicant and GMP.

Kind Regards

Alan

PC 17659 Alan Isherwood
Divisional Licensing Officer
Greater Manchester Police
City of Manchester Division
1st Floor
Manchester Town Hall Extension
Lloyd Street
Manchester
M2 5DB

alan.isherwood@gmp.police.uk

From: waqas raja [mailto:[REDACTED]]

Sent: 14 January 2020 17:54

To: Alan Isherwood

Subject: Re: REPRESENTATION from GMP 240617/HH1 Krispy Fried Chicken & Shake House

Hi Alan

Further to your email below.
I can confirm I agree to all 3 conditions.

Kind Regards
Waqas Ayub

From: Alan.Isherwood@gmp.police.uk <Alan.Isherwood@gmp.police.uk>

Sent: 13 January 2020 09:10:12

To: [REDACTED]

Subject: RE: REPRESENTATION from GMP 240617/HH1 Krispy Fried Chicken & Shake House

Hi Waqas,

There are 3 conditions on my representation. Please can you confirm that you agree to all 3 of these conditions.

Thanks

Alan

PC 17659 Alan Isherwood

Divisional Licensing Officer

Greater Manchester Police

City of Manchester Division

1st Floor

Manchester Town Hall Extension

Lloyd Street

Manchester

M2 5DB

From: waqas raja [mailto:]

Sent: 10 January 2020 13:40

To: Alan Isherwood

Cc: Central Licensing

Subject: REPRESENTATION from GMP 240617/HH1 Krispy Fried Chicken & Shake House

Dear Alan

Further to our application for a premises licence at my takeaway Krispy Fried Chicken & Shake House.

I have been informed from the licensing team that you have 2 conditions.

I can confirm I agree with your conditions I have already installed CCTV cameras at my premises covering all the areas you have said.

I have also a log book at my premises to record any incidents that occur.

If you need anything please let me know.

Thank You
Waqas Ayub

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 240617
Name of the Premises	Krispy Fried Chicken & Shake House
Address of the premises including postcode	106 Mauldeth Road, Manchester M14 6SQ

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 conditions but these need to be worded more robustly to show how the 4 Licensing Objectives will be upheld.

We therefore ask that if this application was granted the following conditions are attached:

The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:

- (a) all crimes reported to the venue, or by the venue to the Police**
- (b) all ejections of patrons**
- (c) any incidents of disorder**

Staff shall be trained to deal with challenging customers and customers who are under the influence of intoxicants. This training shall be repeated at no greater than 6 monthly intervals.

Agreement with Licensing Out of Hours Team

From: **Rhiannon Owen** <rhiannon.owen@manchester.gov.uk>
Date: Thu, 2 Jan 2020 at 22:12
Subject: Fwd: Krispy Chicken 106 Mauldeth Road Representation
To: Premises Licensing <premises.licensing@manchester.gov.uk>
Please see below in agreement with rep made from LOOH.

Thank you

----- Forwarded message -----

From: **waqas raja** <[REDACTED]>
Date: Thu, 2 Jan 2020, 13:16
Subject: Re: Krispy Chicken 106 Mauldeth Road Representation
To: Rhiannon Owen <rhiannon.owen@manchester.gov.uk>

Hi Rhiannon

I can confirm I agree with all the conditions and I agree with the late opening time of my premises till 2am.

Please advise what I need to do next ?

Thank You
Waqas Ayub

From: Rhiannon Owen <rhiannon.owen@manchester.gov.uk>
Sent: 31 December 2019 10:45:30
To: Premises Licensing <premises.licensing@manchester.gov.uk>
Cc: [REDACTED]
Subject: Krispy Chicken 106 Mauldeth Road Representation

Morning,

Please see attached representation for Krispy Chicken 106 Mauldeth Road.

I have spoken with Mr Waqas and advised the closing hours will need to be brought forward from 5am - 2am. I have also advised him to ensure he has contacted planning and applied to extend the planning hours from 11pm to be able to utilise the hours granted in this representation.

Mr Waqas has advised he has contacted planning and applied for extended hours for this premises.

Mr Waqas please see the below attachment with conditions for this premises. As advised if you wish to discuss further the conditions requested by our team please contact me on the number below.

Kind Regards,

Rhiannon Owen

Licensing & Out of Hours Compliance Officer
The Neighbourhoods Service


**MANCHESTER
CITY COUNCIL**
Licensing & Out of Hours Compliance Team - Representation

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

Premise Details	
Application Ref No	M/240617
Name of Premises	Krispy Fried Chicken & Shake House
Address	106 Mauldeth Road, Manchester, M14 6SQ

Representation
Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.
<p>The Licensing and Out of Hours Team (LOOHT) have assessed the likely impact of the grant of this application taking into account a number of factors, including the nature of the area in which the premises is located and any potential risk the granting of this licence could lead to issues of public nuisance.</p> <p>In reaching this decision the LOOHT have also given particular consideration to Manchester City Council's Statement of Licensing Policy 2016 -2021, specifically:</p> <p><i>Section 8 Manchester Standards (MS2) – Manchester City Council has identified standards that we expect of licensed premises in terms of promoting the licensing objectives through effective general management of the premises. Effective management of the premises is integral to ensuring the operator's policies and procedures, as well as licence conditions, are actively enforced at the premises.</i></p> <p><i>7.25 Where its discretion is engaged, the licensing authority will ensure that due consideration is given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises, to ensure they are located in a position that does not adversely affect their ability to ensure the promotion of the licensing objectives. The potential impact on any local residents will be an important matter for consideration.</i></p> <p><i>7.26 The authority will give particular consideration to measures proposed in the application in relation to prevent public nuisance.</i></p> <p><i>7.28 The licensing authority will give consideration to the appropriateness of hours applied for, having regard to the location of premises and their likely effect on the promotion of the four licensing objectives.</i></p> <p><i>7.29 The authority considers that later hours will typically be more sensitive and higher risk in causing problems.</i></p> <p>The location of the premises is on Mauldeth Road which is just outside of the main</p>

stress area for Withington, however is local to residents and other establishments which could give way to noise nuisance.

This premises have a planning restriction advising they are only allocated to open until 11pm Monday – Saturday and 10pm on a Sunday. The grant of this licence would need to be granted by planning prior to the hours being used at the premises.

The premises wishes to serve hot food until 05:00am from Monday through to Sunday with no alcohol being served. The LOOH team having reviewed the application advises the hours are brought forward to serve hot food **until 02:00 am**.

In addition the LOOH team proposes that the below measures should be added to the Licence, if granted in order to promote the Licensing objectives:

1. A documented incident log book shall be kept at the premises for at least 6 months, and made available on request to Greater Manchester Police or an authorised officer of the Licensing Authority.
2. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
3. A dispersal and smoking policy will be implemented and adhered to.
4. No noise shall emanate from the premises through the structure of the premises that gives rise to a nuisance
5. The exterior of the building shall be cleared of litter at regular intervals.
6. Notices will be positioned at the exits to the buildings requesting customers to leave in a quiet manner
7. The premises shall install and maintain a comprehensive digital [colour] CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of [31] days with the date and time stamping.
8. Documented staff training must be provided to ensure adequate provision for prevention of public nuisance and public safety on the premises.

Recommendation: Approve Application

Approve with Conditions (Outlined Above)

Objection from Cllr Wills and subsequent correspondence
(agreement not reached as at 22/01)

From: **Premises Licensing** <premises.licensing@manchester.gov.uk>
Date: Mon, 20 Jan 2020 at 11:07
Subject: Re: PLEASE REPLY - Request to consider reaching an agreement - application for new premises licence ref 240617/HH1 Krispy Fried Chicken & Shake House
To: Councillor Chris Wills <cllr.c.wills@manchester.gov.uk>
Cc: [REDACTED]

Dear Councillor

Your email indicates that, although agreements have been reached with the Police and Out of Hours teams, your concerns are not completely resolved. Your representation therefore still stands, and you will be given the opportunity to speak further about your objection, should you choose to do so, at the hearing.

Kind regards, Helen

On Mon, 20 Jan 2020 at 10:37, Councillor Chris Wills <cllr.c.wills@manchester.gov.uk> wrote:
Dear Helen

Many thanks for emailing. My objection to this Licensing application was based on the licensed hours being until 5am. I'm not very happy about 2am, but given they are restricted to current hours until any planning application is approved, and given that LOOH and GMP are not objecting it seems certain this will go through. Therefore my objection would in reality need to be withdrawn.

I would ask however that the Licensing Committee's attention is withdrawn to the planning issue discussed previously.

Best wishes.
Chris

On Fri, 17 Jan 2020 at 09:29, Premises Licensing <premises.licensing@manchester.gov.uk> wrote:
Dear Councillor Wills

The consultation for the above application has now ended. Following the end of the consultation period and before the hearing, the applicant has the opportunity to contact any objectors to see whether an agreement can be reached on their objection.

I am contacting you on behalf of the applicant to let you know that agreements have been reached with the Police and the Licensing Out of Hours enforcement team (as pasted in blue below), and to ask whether these agreements might also satisfy the concerns that you raised in your representation. If this is the case, could I ask whether the representation you made might also be considered agreed?

The details of the agreements are as below. Please could I ask you to let me know either way, or let me know if you would like further information.

Just for information: If an agreement is reached, the party that has been agreed with no longer needs to attend the hearing - the Sub-Committee will be presented with a copy of the agreement and will take it into account when reaching their decision.

Kind regards, Helen Howden
0161 234 4294 (best time 11am to 2pm Mon to Fri)

Amendment to hours, and conditions to be added to licence if granted, as agreed with the Out of Hours Enforcement Team:

Hours

The applicant has agreed with the Licensing Out of Hours team that the closing time shall be **2am**, rather than 5am as applied for. The applicant is aware that, if this licence is granted, he will only be able to trade in accordance with the planning hours for the premises which currently finish at 11pm. The Out of Hours officer has discussed with the applicant that, in order to be able to trade later, he will need to apply to extend the planning hours. The applicant has advised that he has now made an application to do this.

Conditions

1. A documented incident log book shall be kept at the premises for at least 6 months, and made available on request to Greater Manchester Police or an authorised officer of the Licensing Authority.
2. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
3. A dispersal and smoking policy will be implemented and adhered to.
4. No noise shall emanate from the premises through the structure of the premises that gives rise to a nuisance
5. The exterior of the building shall be cleared of litter at regular intervals.
6. Notices will be positioned at the exits to the buildings requesting customers to leave in a quiet manner
7. The premises shall install and maintain a comprehensive digital [colour] CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of [31] days with the date and time stamping.
8. Documented staff training must be provided to ensure adequate provision for prevention of public nuisance and public safety on the premises.

Conditions agreed with Greater Manchester Police

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or

standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

2. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:

- (a) all crimes reported to the venue, or by the venue to the Police
- (b) all ejections of patrons
- (c) any incidents of disorder

3. Staff shall be trained to deal with challenging customers and customers who are under the influence of intoxicants. This training shall be repeated at no greater than 6 monthly intervals.

OBJECTION

On Thu, 9 Jan 2020 at 19:36, Councillor Chris Wills <cllr.c.wills@manchester.gov.uk> wrote:

Dear All

Just to confirm my objection to this licensing application. In addition to the pre-existing issue of the planning breach, there is now also strong suspicion that they may be responsible for fly-tipped rubbish in Ladybarn. This is being investigated by Neighbourhood Officers.

In any case, the proposed hours would not help with prevention of public nuisance, or public safety. 5am is wholly inappropriate for an area which has no other comparably late opening establishments. And further to the above there is nothing in the application relating to disposal of litter. This would further exacerbate issues of public nuisance, and would not assist in prevention of crime and disorder.

Best wishes.
Chris

Objection from [REDACTED] and subsequent correspondence (agreement not reached as at 22/01)

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

Date: Fri, 17 Jan 2020 at 09:30

Subject: PLEASE REPLY - Request to consider reaching an agreement - application for new premises licence ref 240617/HH1 Krispy Fried Chicken & Shake House

To: [REDACTED]

Cc: [REDACTED]

Dear [REDACTED]

The consultation for the above application has now ended. Following the end of the consultation period and before the hearing, the applicant has the opportunity to contact any objectors to see whether an agreement can be reached on their objection.

I am contacting you on behalf of the applicant to let you know that agreements have been reached with the Police and the Licensing Out of Hours enforcement team (as pasted in blue below), and to ask whether these agreements might also satisfy the concerns that you raised in your representation. If this is the case, could I ask whether the representation you made might also be considered agreed?

The details of the agreements are as below. Please could I ask you to let me know either way, or let me know if you would like further information.

Just for information: If an agreement is reached, the party that has been agreed with no longer needs to attend the hearing - the Sub-Committee will be presented with a copy of the agreement and will take it into account when reaching their decision.

Kind regards, Helen Howden
0161 234 4294 (best time 11am to 2pm Mon to Fri)

Amendment to hours, and conditions to be added to licence if granted, as agreed with the Out of Hours Enforcement Team:

Hours

The applicant has agreed with the Licensing Out of Hours team that the closing time shall be **2am**, rather than 5am as applied for. The applicant is aware that, if this licence is granted, he will only be able to trade in accordance with the planning hours for the premises which currently finish at 11pm. The Out of Hours officer has discussed with the applicant that, in order to be able to trade later, he will need to apply to extend the planning hours. The applicant has advised that he has now made an application to do this.

Conditions

1. A documented incident log book shall be kept at the premises for at least 6 months, and made available on request to Greater Manchester Police or an authorised officer of the Licensing Authority.
2. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
3. A dispersal and smoking policy will be implemented and adhered to.
4. No noise shall emanate from the premises through the structure of the premises that gives rise to a nuisance
5. The exterior of the building shall be cleared of litter at regular intervals.
6. Notices will be positioned at the exits to the buildings requesting customers to leave in a quiet manner
7. The premises shall install and maintain a comprehensive digital [colour] CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of [31] days with the date and time stamping.
8. Documented staff training must be provided to ensure adequate provision for prevention of public nuisance and public safety on the premises.

Conditions agreed with Greater Manchester Police

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.
2. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:
 - (a) all crimes reported to the venue, or by the venue to the Police
 - (b) all ejections of patrons
 - (c) any incidents of disorder
3. Staff shall be trained to deal with challenging customers and customers who are under the influence of intoxicants. This training shall be repeated at no greater than 6 monthly intervals.

From: [REDACTED]

Date: Mon, 30 Dec 2019 at 20:15

Subject: Krispy Fried Chicken and Shake House 106 Mauldeth Road M14 6SQ

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

I write to object to the extension of opening hours up to 5 am.

As a Community Guardian, every morning I am picking up litter from (amongst other sources) the numerous take-away premises in Ladybarn Village.

These include the chip shop, the Chinese Wok and the notorious Flavaz that have been fined several times.

On the grounds of this public nuisance, and late-night noise, this extension should not be allowed.

[REDACTED]

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises. 2. CCTV shall be installed at the premises. 3. Prominent clear and legible notices shall be displayed at the entrance and exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly. 4. Customers will be asked not to stand around talking in the street outside the premises and will be asked to leave quickly and quietly. 5. Children shall be accompanied and supervised at all times whilst in the premises. 	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided. 2. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details: <ol style="list-style-type: none"> (a) all crimes reported to the venue, or by the venue to the Police (b) all ejections of patrons (c) any incidents of disorder 3. Staff shall be trained to deal with challenging customers and customers who are under the influence of intoxicants. This training shall be repeated at no greater than 6 monthly intervals. 	Yes (all)	GMP

Schedule of Licence Conditions

<p><u>Please note:</u></p> <p>Conditions 1 and 7 proposed by the Licensing and Out of Hours team below cover the same requirements as conditions 1 and 2 proposed by GMP. The Sub Committee is requested to attach GMP conditions 1 and 2 (rather than 1 and 7 below as the GMP conditions are more robustly worded), but with an amendment to GMP condition 1 to require that recordings are kept for a minimum of 31 days in line with the more stringent request from the Out of Hours team.</p> <ol style="list-style-type: none"> 1. A documented incident log book shall be kept at the premises for at least 6 months, and made available on request to Greater Manchester Police or an authorised officer of the Licensing Authority. 2. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance. 3. A dispersal and smoking policy will be implemented and adhered to. 4. No noise shall emanate from the premises through the structure of the premises that gives rise to a nuisance 5. The exterior of the building shall be cleared of litter at regular intervals. 6. Notices will be positioned at the exits to the buildings requesting customers to leave in a quiet manner 7. The premises shall install and maintain a comprehensive digital [colour] CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of [31] days with the date and time stamping. 8. Documented staff training must be provided to ensure adequate provision for prevention of public nuisance and public safety on the premises. 	Yes	Licensing and Out of Hours
--	-----	----------------------------

**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 3 February 2020

Subject: Brewdog Bar & Hotel, 18-20 Fountain Street, Manchester, M2 2AR –
(App ref: New Premises Licence 242231)

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendations

That the Panel determine the application.

Wards Affected: Deansgate

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

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

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: Bryan Johnson
Position: Technical Licensing Officer
Telephone: 0161 234 1248
E-mail: Premises.licensing@manchester.gov.uk

Background documents (available for public inspection):

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

1. **Introduction**

- 1.1 On 19 December 2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Brewdog Bar & Hotel, 18-20 Fountain Street, Manchester, M2 2AR in the Deansgate ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. **The Application**

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is BrewDog Retail Limited.
- 2.3 The description of the premises given by the applicant is: 'Craft brew bar and hotel set over ground, first, second and roof level.'
- 2.4 The proposed designated premises supervisor is Mr Martin Keith

2.5 **The licensable activities applied for:**

Provision of regulated entertainment (films):

- Monday to Sunday 12am to 12am (24 hrs)

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

- Monday to Sunday 10am to 3am

Provision of late night refreshment:

- Monday to Sunday 11pm to 5am

The supply of alcohol for consumption both on and off the premises (hotel residents or their bona fide guests):

- Monday to Sunday 12am to 12am (24 hrs)

The supply of alcohol for consumption both on and off the premises (for those who are not hotel residents or their bona fide guests):

- Monday to Sunday 10am to 3am

Opening hours:

- Monday to Sunday 12am to 12am (24 hrs)

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

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

2.6 Activities unsuitable for children

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

2.7 Steps to promote the licensing objectives

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

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

2.8 Further documentation accompanying the application

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

- Smoking Policy
- Dispersal Policy

3. Relevant Representations

3.1 A total of 2 relevant representations were received in respect of the application (**Appendix 3**). The personal details of all members of the public

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

Responsible Authorities:

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

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	Greater Manchester Police have submitted a representation against the application on the basis of the Licensing Objectives (in regard to the Prevention of Crime and Disorder/Public Nuisance and the upholding of Public Safety) being likely to be undermined if more robust and specific conditions in relation to the provision of SIA registered door staff and adoption of the 'NiteNet' radio link system are not adopted at the premises. Should it be granted, GMP are requesting the imposition of 3 extra conditions to the premises licence that will satisfy their concerns in regard to the aforementioned.	Grant with conditions
Licensing and Out of Hours Compliance	The Licensing Out of Hours and Compliance representation closely mirrors that (as submitted against the application) of Greater Manchester Police, and is seeking to impose extra conditions on the licence that effectively duplicate those being requested by GMP. Furthermore, and in order to address concerns relating to the prevention of public nuisance, LOOH Compliance are also requesting the imposition of conditions to the premises licence (should it be granted) that shall restrict the sale of alcohol on the premises to hotel guests only (between the hours stated on the representation) and that the application for the playing of live/recorded music externally be similarly restricted also. LOOH Compliance are also requesting that the provision of Late Night Refreshment be restricted to 'On the premises only'.	Grant with conditions

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

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 New Information

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

4.3 Hearsay Evidence

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

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

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

4.5 Manchester Statement of Licensing Policy

- 4.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' its statement of licensing policy.
- 4.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.

- 4.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.
- 4.5.4 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy:

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- Consistency with relevant Council strategies
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance

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

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

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS8 Prevent noise nuisance from the premises
- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)
- MS11 Ensure the wellbeing of children on the premises

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**

This page is intentionally left blank



Brewdog Bar and Hotel
18-20 Fountain Street, Manchester, M2 2AR

Premises Licensing
Manchester City Council

© Crown copyright and database rights 2018. Ordnance
Survey100019568.



PREMISE NAME: Brewdog Bar and Hotel

PREMISE ADDRESS: 18-20 Fountain Street, Manchester, M2 2AR

WARD: Deansgate

HEARING DATE: 03/02/2020

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

Document is Restricted

This page is intentionally left blank

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 **BrewDog Retail 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 Brewdog Bar and Hotel Lowry House 18-20 Fountain Street			
Post town	Manchester	Postcode	M2 2AA

Telephone number at premises (if any)	To be advised
Non-domestic rateable value of premises	£61,500

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 BrewDog Retail Limited
Address Brewdog Balmacassie Commercial Park Ellon Aberdeenshire AB41 8BX
Registered number (where applicable) SC389114
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited Company

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	7	0 1 2 0 2 0

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)

Craft brew bar and hotel set over ground, first, second and roof level.

The applicant currently holds premises licence no. 237674 for a bar on the ground floor of this premises. They now propose to trade that bar, but also to operate the remainder of the premises as a hotel, as per the attached plans.

The purpose of this application is to licence all floors. This application seeks the same hours as the existing licence, save for the addition of films and the inclusion of 24/7 sale of alcohol, late night refreshment and opening, to reflect the hotel element of the operation.

Premises licence no. 237647 will be surrendered on the grant of this application.

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 checked="" 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 checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" 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					
Tue					
			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	00:01	00:00			
Tue	00:01	00:00			
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed	00:01	00:00			
Thur	00:01	00:00			
			<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)		
Fri	00:01	00:00			
Sat	00:01	00:00			
Sun	00:01	00:00			

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			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			
Fri			<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)
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					
Wed					
Thur			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Fri					
Sat					
Sun					
			<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)		

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 checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	10:00	03:00			
Tue	10:00	03:00			
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Wed	10:00	03:00			
Thur	10:00	03:00			
			<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) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. The additional hour on the day British Summer Time starts, to disapply its effect.		
Fri	10:00	03:00			
Sat	10:00	03:00			
Sun	10:00	03:00			

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 checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	10:00	03:00			
Tue	10:00	03:00			
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed	10:00	03:00			
Thur	10:00	03:00			
			<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) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. The additional hour on the day British Summer Time starts to disapply its effect.		
Fri	10:00	03:00			
Sat	10:00	03:00			
Sun	10:00	03:00			

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	23:00	05:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	23:00	05:00			
Wed	23:00	05:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23:00	05:00			
Fri	23:00	05:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. The additional hour on the day British Summer Time starts to disapply its effect.		
Sat	23:00	05:00			
Sun	23:00	05:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) For those who are not hotel residents or their bona fide guests: from 10:00 until 03:00 daily.		
Mon	00:01	00:00			
Tue	00:01	00:00			
Wed	00:01	00:00			
Thur	00:01	00:00	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) For those who are not hotel residents and their bona fide guests: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. The additional hour on the day British Summer Time starts to disapply its effect.		
Fri	00:01	00:00			
Sat	00:01	00:00			
Sun	00:01	00:00			

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 [REDACTED]	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode [REDACTED]	
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

K

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

n/a

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	00:01	00:00	
Tue	00:01	00:00	
Wed	00:01	00:00	
Thur	00:01	00:00	
Fri	00:01	00:00	
Sat	00:01	00:00	
Sun	00:01	00:00	
			<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)

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)

As per the conditions attached in the operating schedule, dispersal policy and smoking policy.

b) The prevention of crime and disorder

As per the conditions attached in the operating schedule, dispersal policy and smoking policy.

c) Public safety

As per the conditions attached in the operating schedule, dispersal policy and smoking policy.

d) The prevention of public nuisance

As per the conditions attached in the operating schedule, dispersal policy and smoking policy.

e) The protection of children from harm

As per the conditions attached in the operating schedule, dispersal policy and smoking policy.

Checklist:**Please tick to indicate agreement**

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




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

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

Part 4 – Signatures (please read guidance note 11)






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

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

	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	
Capacity	

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)			
			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and

- (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,

- (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
- (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
- (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

OPERATING SCHEDULE

A) The Prevention of Crime and Disorder

1. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.
2. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
3. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
4. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
5. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment, to be carried out by the DPS.
6. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - (i) the number of door staff on duty;
 - (ii) the identity of each member of door staff;
 - (iii) the times the door staff are on duty.
7. Staff will be trained in the laws relating to under age sales, and that training shall be documented and repeated at 6 monthly intervals.
8. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.
9. Between the hours of 03:00 and 10:00 daily, alcohol shall only be sold to hotel residents and/or their bona fide guests.

B) Public Safety

1. A first aid box will be available at the premises at all times.
2. Regular safety checks shall be carried out by staff.
3. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
4. The premises shall maintain an Incident Log and public liability insurance.

C) The Prevention of Public Nuisance

1. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.

2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to nuisance.
3. The exterior of the building shall be cleared of litter at regular intervals.
4. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
5. Doors and windows at the premises are to remain closed after 11pm, save for access and egress.
6. A Dispersal Policy will be implemented and adhered to (see attached).
7. The emptying of bins into skips, and refuse collections will not take place between 11pm and 7am.
8. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.

D) The Protection of Children From Harm

1. A "Challenge 25" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of ID are photographic driving licences, passports, HM forces warrant cards, EU/EEA national ID card or similar document or a form of identification with the "PASS" hologram.
2. Staff training will include the Challenge 25 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.
3. Notices advising what forms of ID are acceptable must be displayed.
4. Notices must be displayed in prominent positions indicating that the Challenge 25 policy is in force.

DISPERSAL POLICY

The purpose of this Dispersal Policy is to ensure, so far as it is possible, that minimum disturbance or nuisance is caused to our neighbours and to ensure that the operation of the premises makes the minimum impact upon the neighbourhood in relation to potential nuisance and anti-social behaviour. This will be achieved by exercising pro-active measures towards and at the end of the evening.

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

1. At the end of the evening management and staff will assist with the orderly and gradual dispersal of patrons.
2. Staff Members (including door personnel when employed) will advise patrons to leave the premises quickly and quietly out of respect for our neighbours.
3. Notices will be displayed requesting our customers to leave quietly and in an orderly manner out of consideration to neighbours and their attention will be drawn to these notices by members of staff.
4. We will ensure the removal of all bottles and drinking receptacles from any patron before exiting the premises.
5. We will actively discourage our customers from assembling outside the premises at the end of the evening.

SMOKING & EXTERNAL DINING & DRINKING POLICY

1. Any outside area used by customers wishing to smoke shall be covered by the CCTV system which will be installed at the premises.
2. The outside area shall be monitored by staff or door staff regularly at all times it is in use.
3. The area will be cleaned regularly.
4. Suitable receptacles shall be provided for smokers to dispose of cigarette butts.
5. Signs will be displayed in the area requesting customers keep noise to a minimum.
6. Patrons who disregard signage and verbal instructions regarding noise will be asked to move inside and/or leave the premises.

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 242231
Name of the Premises	Brewdog Bar and Hotel
Address of the premises including postcode	18-20 Fountain Street, Manchester M2 2AR

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 application in relation to the above premises on the grounds of the Prevention of Crime and Disorder, the Prevention of Public Nuisance and Public Safety.

The applicant has put forward a condition that the provision of SIA door staff will be risk assessed but GMP would expect a more prescriptive condition to have been offered.

Therefore if this application was granted GMP would ask that the following conditions are attached to the premises licence to decrease the likelihood of the Licensing Objectives being undermined.

On Friday and Saturday minimum of 2 SIA registered doorstaff shall be employed at the premises from 2100 hours until 0300 hrs to assist with the orderly dispersal of customers . At all other times the requirement for doorstaff shall be determined in accordance with a risk assessment carried out by the DPS. When employed doorstaff shall wear hi-vis armbands.

On Friday and Saturday each day the NiteNet radio system shall be operated at the premises from 2100 hours until 0300 hours.

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 behavior.


**MANCHESTER
CITY COUNCIL**
Licensing & Out of Hours Compliance Team - Representation

Name	Ben Spencer
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	ben.spencer@manchester.gov.uk
Telephone Number	0161 234 1220

Premise Details

Application Ref No	REF 242231
Name of Premises	Brewdog Bar and Hotel
Address	Lowry House, 18-20 Fountain Street

Representation

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

The Licensing and Out of Hours Team (LOOH) 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, the hours applied for and any potential risks that the granting application could undermine the licensing objectives.

The premise is situated on Fountain Street in Manchester City Centre and has previously operated as retail/restaurant units. The applicant recently applied for a premises licence for a Bar in this location, which has been granted. The new application is for a Bar and Hotel, with both ground floor and roof level external areas.

The application is for a 24 hour licence, with the following condition proposed, "between the hours of 03:00 and 10:00 alcohol shall only be sold to hotel residents and/or their bona fide guests." The LOOH Team are concerned that "bona fide guests" is not something that is easily enforceable by the premises themselves or the authority. In the interests of preventing public nuisance we would therefore ask that this is changed to:

- Between the hours of 03:00 and 10:00 alcohol shall only be sold to hotel residents.

The premises is proposing live and recorded music both indoor and outdoor until 03:00. Residential properties are set to be completed imminently which would be on neighbouring Sickle Street. With the roof terrace area and no restrictions on the times this is in use with a 24 hour licence, the LOOH team believe any live and recorded music outside with people noise will increase the likelihood to public nuisance. The LOOH team would propose that an appropriate closing time for the roof terrace be attached to the licence, and/or that a condition was attached such as:

- No live or recorded music to be played outdoors after 23:00.

Late night refreshment is being proposed from 23:00 until 05:00 both indoor and outdoor. The provision for outdoor would not be necessary and therefore advise this to be changed to indoor only.

The application proposes that "SIA registered door staff shall be employed at the premises in accordance with a risk assessment to be carried out by the DPS." As the premises has two large external areas, and its proximity to Piccadilly Gardens, the LOOH team believe that SIA would greatly help to manage these areas and promote the licensing objective of prevention of public nuisance.

The two conditions below were added to the applicants licence at the Peter Street premises:

Annex 3:

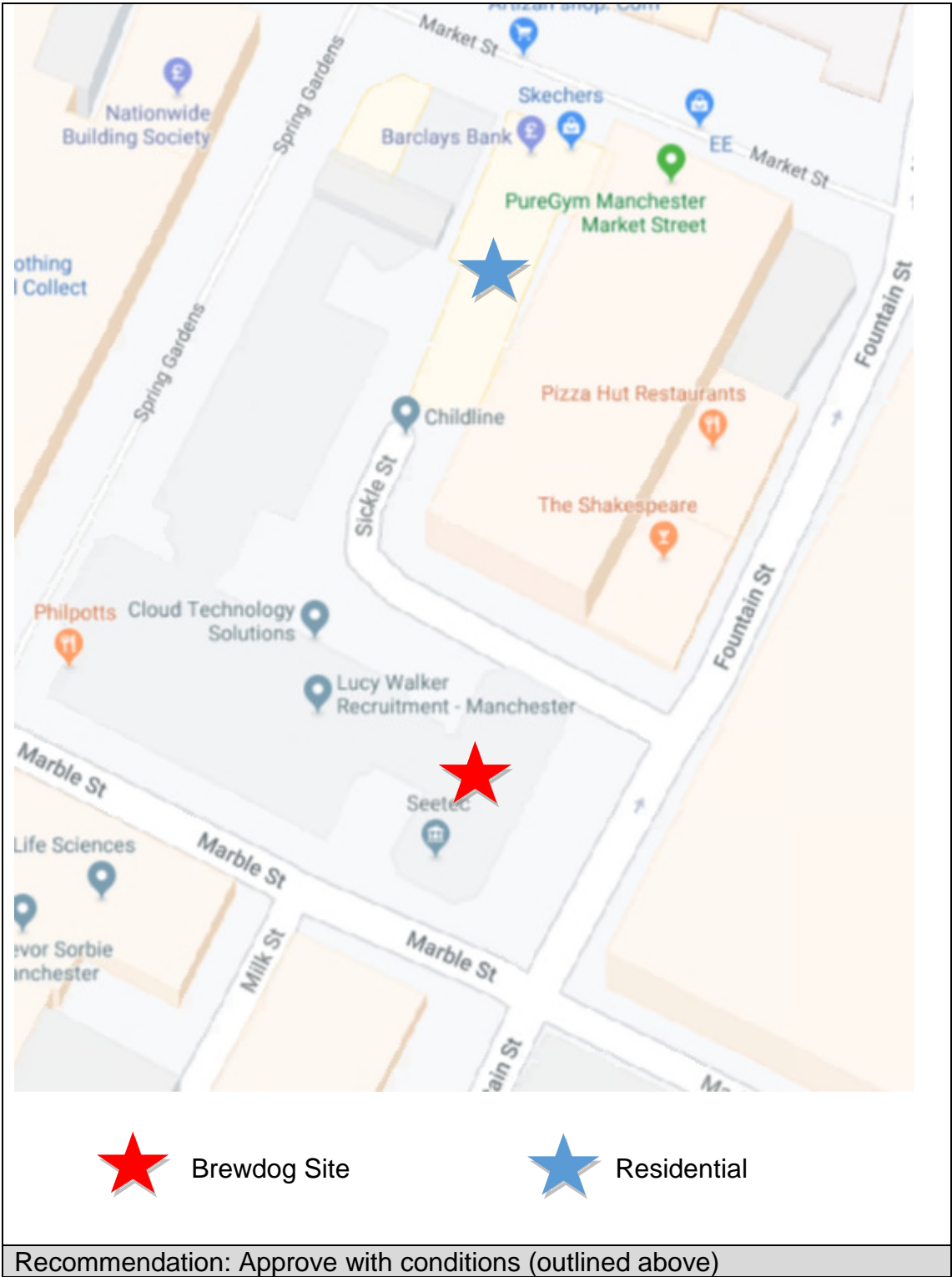
1. On Friday and Saturday nights, from 9.00pm until the premises closes, at least 2 SIA registered door supervisors shall be employed at the premises.
2. At all other times, the premises licence holder shall risk assess the need for the provision of door supervisors and employ them in such numbers and at such times as that risk assessment deems appropriate to ensure the safe control of the premises.

After discussions with GMP we believe the above would be appropriate for the new site, along with conditions similar to the below:

- 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 disorder and any ejections.
- All SIA registered door staff will wear high-visibility armbands.

If the above concerns are addressed and appropriate conditions agreed, the LOOH team would agree the approval of this licence.

Image over the page shows the location of premises in relation to new residential properties:



Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally. 2. Recorded CCTV images shall be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request. 3. CCTV shall be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player. 4. Any person left in charge of the premises shall be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request. 5. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment, to be carried out by the DPS. 6. When employed, a register of those door staff employed shall be maintained at the premises and shall include: <ol style="list-style-type: none"> i. the number of door staff on duty; ii. the identity of each member of door staff; iii. the times the door staff are on duty. 7. Staff shall be trained in the laws relating to under age sales, and that training shall be documented and repeated at 6 monthly intervals. 8. A refusals book shall be maintained at the premises, and made available to an officer of a responsible authority upon request. 9. Between the hours of 03:00 and 10:00 daily, alcohol shall only be sold to hotel residents and/or their bona fide guests. 10. A first aid box shall be at the premises at all times. 11. Regular safety checks shall be carried out by staff. 12. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations. 13. The premises shall maintain an Incident Log and Public Liability Insurance. 14. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises. 15. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to nuisance. 16. The exterior of the building shall be cleared of litter at regular intervals. 17. Notices shall be positioned at the exits to the building requesting 	N/A	Applicant

Schedule of Licence Conditions

<p>customers to leave in a quiet manner.</p> <p>18. Doors and windows at the premises are to remain closed after 11.00pm, save for access and egress.</p> <p>19. A Dispersal Policy shall be implemented and adhered to.</p> <p>20. The emptying of bins into skips, and refuse collections shall not take place between 11.00pm and 7.00am.</p> <p>21. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.</p> <p>22. A "Challenge 25" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of ID shall be photographic driving licences, passports, HM forces warrant cards, EU/EEA national ID card or similar document or a form of identification with the "PASS" hologram.</p> <p>23. Staff training shall include the "Challenge 25" Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training shall be given to a new member of staff before they commence employment and all staff shall receive refresher training every 6 months.</p> <p>24. Notices advising what forms of ID are acceptable shall be displayed.</p> <p>25. Notices shall be displayed in prominent positions indicating that the "Challenge 25" policy is in force.</p>		
Conditions proposed by objectors	Agreed	Proposed by
<p>26. On Friday and Saturday a minimum of 2 SIA registered door staff shall be employed at the premises from 2100hours until 0300hrs to assist with the orderly dispersal of customers. At all other times the requirement for door staff shall be determined in accordance with a risk assessment carried out by the DPS. When employed door staff shall wear hi-vis armbands. *</p> <p>27. On Friday and Saturday each day the NiteNet radio system shall be operated at the premises from 2100 hours until 0300 hours.</p> <p>28. 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 behavior.*</p>	No	GMP
29. Between the hours of 03:00 and 10:00 alcohol shall only be sold to	No	Licensing and Out of

Schedule of Licence Conditions

<p>hotel residents.</p> <p>30. No live or recorded music shall be played outdoors after 23:00.</p> <p>31. On Friday and Saturday nights, from 9.00pm until the premises closes, at least 2 SIA registered door supervisors shall be employed at the premises.*</p> <p>32. At all other times, the Premises Licence Holder shall risk assess the need for the provision of door supervisors and employ them in such numbers and at such times as that risk assessment deems appropriate to ensure the safe control of the premises.*</p> <p>33. 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 disorder and any ejections.*</p> <p>34. All SIA registered door staff shall wear high-visibility armbands.*</p>		Hours
---	--	-------

*** Indicates the duplication of conditions between those representations submitted against the application by Greater Manchester Police and The Licensing Out of Hours and Compliance Team. On any subsequent granting of the premises licence it shall be determined which (duplicated) conditions shall take precedence and shall be included in Annex 3.**

This page is intentionally left blank