



Licensing Sub Committee Hearing Panel

Date: Monday, 17 February 2020

Time: 10.00 am

Venue: Council Antechamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Access to the Council Antechamber

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

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

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Andrews, Jeavons and Madeleine Monaghan

Agenda

1. Urgent Business

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

2. Appeals

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

3. Interests

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

- 4. Application for New Premises Licence - District, Basement And Ground Floor, 60 Oldham Street, Manchester, M4 1LE** 5 - 116
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 5. Application for New Premises Licence - Brickworks, Basement, Barton Arcade, Manchester, M3 2BJ** 117 - 178
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 6. Application for New Premises Licence - Reds Takeaway and Dark Kitchen, 331 Wilmslow Road, Manchester, M14 6NW** 179 - 302
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 7. Application for New Premises Licence - Viadux, Lawrence House, 8 Albion Street, Manchester, M1 5NZ** 303 - 364
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 8. Application for New Premises Licence - Osteria Zora, 477 Wilmslow Road, Manchester, M20 4AN - determination** 365 - 370
The determination is enclosed.
- 9. Application for New Premises Licence - Lahori Grill, 406 Barlow Moor Road, Manchester, M21 8AD - determination** 371 - 372
The determination is enclosed.

- 10. Application for New Premises Licence - Dixy Chicken, 38 Shudehill, Manchester M4 1EZ - determination** 373 - 376
The determination 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,
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Manchester, M60 2LA

Further Information

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

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This agenda was issued on **Thursday, 6 February 2020** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 17 February 2020

Subject: District, Basement And Ground Floor, 60 Oldham Street,
Manchester, M4 1LE - App ref: Premises Licence (new) 242393

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendation

That the Panel determine the application.

Wards Affected: Piccadilly

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue - None

Financial Consequences – Capital - None

Contact Officers:

Name: Fraser Swift
Position: Principal Licensing Officer
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Name: Patrick Ware
Position: Technical Licensing Officer
Telephone: 0161 234 4858
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 31/12/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of District, Basement And Ground Floor, 60 Oldham Street, Manchester, M4 1LE in the Piccadilly 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 Kyodo Group Ltd.
- 2.3 The description of the premises given by the applicant is Ground floor restaurant and basement cocktail bar.
- 2.4 The proposed designated premises supervisor is Daniel James Collins.
- 2.5 **The licensable activities applied for:**
Provision of late night refreshment:
Mon to Sun 11pm to 2am
The supply of alcohol for consumption both on and off the premises:
Mon to Sun 10am to 2am
Opening hours:
Mon to Sun 10am to 2am
- 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 additional documents in support of their application:
Plan of the Premises (Appendix 5)

3. Relevant Representations

3.1 A total of 4 relevant representations were received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

Responsible Authorities:

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

Other Persons:

- Residents (x1).

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	Concerns that the conditions offered are not sufficiently robust to support the Prevention of Crime and Disorder, the Prevention of Public Nuisance and Public Safety Licensing Objectives.	Grant with conditions

Licensing and Out of Hours Compliance	Concerns regarding the Prevention of Public Nuisance Licensing Objective being undermined: Officers are not satisfied that the conditions offered are sufficient to mitigate noise nuisance from patrons visiting the proposed establishment.	Grant with conditions
Trading Standards	Concerns regarding a lack of procedures to prevent underage sales and thereby the promotion of the Protection of Children from Harm Licensing Objective.	Grant with conditions
Residents (x1)	Concerns regarding public nuisance from litter and noise into the early hours, in particular from taxis ranking outside premises in street.	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 GMP, Licensing Out of Hours Compliance and Trading Standards.

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 New Information

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

4.3 Hearsay Evidence

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

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

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

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

4.5 **Manchester Statement of Licensing Policy**

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

Section 6: What we aim to encourage

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

- Premises that will extend the diversity of entertainment and attract a wider range of participants
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
- National cultural institutions, global sports events and cultural festivals
- Non-drink-led premises, including restaurants, cafes, theatres and cinemas
- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application

- Participation in Pubwatches, off licence forums and other crime-reduction partnerships
- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

Section 7: Local factors

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

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

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

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

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

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol

- MS5 Prevent on-street consumption 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)
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

5. Conclusion

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

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District
Basement And Ground Floor, 60 Oldham Street, Manchester, M4
1LE

Premises Licensing
Manchester City Council

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Ordnance Survey100019568.



PREMISE NAME:	District
PREMISE ADDRESS:	Basement And Ground Floor, 60 Oldham Street, Manchester, M4 1LE
WARD:	Piccadilly
HEARING DATE:	17 February 2020

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

Document is Restricted

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Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/we Kyodo Group LTD

(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 60 Oldham Street			
Post town	Manchester	Postcode	M4 1LE
Telephone number at premises (if any)		N/A	
Non-domestic rateable value of premises		£ None	

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 Kyodo Group LTD
Address 406 VIMTO GARDENS, CHAPEL STREET, SALFORD, M3 5JF
Registered number (where applicable) 12049460
Description of applicant (for example, partnership, company, unincorporated association etc.) 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
0	1	0 2 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)
 2200 sqft premises divided equally over two floors (groundfloor and basement.)

Ground floor to be large open plan restaurant covering the majority of the floor. Basement to consist of small 800sqft cocktail bar and remainder of space to be used as WC and back of house facilities.

Both floors have rear fire escapes leading out on to Spear Street.

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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



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



In all cases complete boxes K, L and M

A

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

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

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

E

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

F

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

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>		
				Outdoors	<input type="checkbox"/>		
Day	Start	Finish		Both	<input type="checkbox"/>		
Mon	0000	0200	<u>Please give further details here</u> (please read guidance note 4) Sale of food made in ground floor kitchen for both restaurant on ground floor and cocktail bar in basement.				
	1000	2359					
Tue	0000	0200					
	1000	2359					
Wed	0000	0200		<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) N/A			
	1000	2359					
Thur	0000	0200					
	1000	2359					
Fri	0000	0200			<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		
	1000	2359					
Sat	0000	0200					
	1000	2359					
Sun	0000	0200					
	1000	2359					

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 checked="" type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) N/A					
Mon	0000	0200						
	1000	2359						
Tue	0000	0200						
	1000	2359						
Wed	0000	0200						
	1000	2359						
Thur	0000	0200				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) N/A		
	1000	2359						
Fri	0000	0200						
	1000	2359						
Sat	0000	0200						
	1000	2359						
Sun	0000	0200						
	1000	2359						

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 Daniel James Collins	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) 2271	
Issuing licensing authority (if known) Bury Council	

K

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

N/A

L

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) N/A
Day	Start	Finish	
Mon	0000	0200	
	1000	2359	
Tue	0000	0200	
	1000	2359	
Wed	0000	0200	
	1000	2359	
Thur	0000	0200	<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) N/A
	1000	2359	
Fri	0000	0200	
	1000	2359	
Sat	0000	0200	
	1000	2359	
Sun	0000	0200	
	1000	2359	

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)

Compliance with all current legislation requirements. Relevant training of staff in sale of alcohol, Challenge 25, fire safety etc.

All relevant licencing notices and paperwork to be displayed clearly.

b) The prevention of crime and disorder

- Relevant training of all staff supplying alcohol.
- Security staff during peak times
- CCTV system covering all entrances, exits, entrance/exit to public wc, till systems and drinking/dining areas.
- Customers to be reminded to consider local residents when leaving the premises of an evening.

c) Public safety

- Relevant training of all staff supplying alcohol.
- Security staff during peak times
- CCTV system covering all entrances, exits, entrance/exit to public wc, till systems and drinking/dining areas.
- Fire safety training

d) The prevention of public nuisance

- Relevant training of all staff supplying alcohol.
- Security staff during peak times
- CCTV system covering all entrances, exits, entrance/exit to public wc, till systems and drinking/dining areas.
- Customers advised to leave the premises quietly at later times or whilst out smoking.
- Regular sweeping/cleaning of shop frontage

e) The protection of children from harm

- Relevant training of all staff supplying alcohol.
- Security staff during peak times
- CCTV system covering all entrances, exits, entrance/exit to public wc, till systems and drinking/dining areas.
- Strong adherence to Challenge 25
- No customers under 18's in bar at any time unless part of a pre-organised private event.

Checklist:**Please tick to indicate agreement**

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or
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	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)		
Signature	Daniel Collins		
Date	31/12/2019		
Capacity	Director - KYODO GROUP LTD		

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.

Web reference number 3509758

Have you been nominated as DPS on either: A new premises licence

Has the application nominating you as a DPS been submitted? : No

Full name : Daniel James Collins

Address including postcode : [REDACTED],

[REDACTED],

[REDACTED],

[REDACTED]

Email : [REDACTED]

Daytime telephone number: [REDACTED]

Name of applicant that has nominated you to be the DPS: Kyodo Group LTD

Premises licence number if applicable:

Name and address of the premises : 60 Oldham Street

Manchester,

M4 1LE

I hereby give consent..... : to be specified as DPS on the above premises licence and agree to be responsible for the supply of alcohol at the above named premises

And in respect of any premises licence to be granted or varied in respect of this application made by . . . (give name of applicant or premises licence holder) : Kyodo Group LTD

Do you hold a personal licence: Yes

What is your personal licence number?: 2271

Which local authority (name, address and telephone number) issued the personal licence?: Bury Council

I confirm that I am... : entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence

I understand that by submitting this application...: I consent to Manchester City Council passing on the data within this application and it's supporting documents to any authority or person that will assist it's determination of this application, or as required by law

I declare that... : the information provided is true to the best of my knowledge and belief

I understand that... : if any false information is provided I may be guilty of an offence and liable to prosecution

I understand that...: if the application is authorised I must inform the authority about any changes to circumstances that mean I no longer meet the conditions for the authorisation

Where a statutory declaration has been provided I understand...: it may be forwarded to Greater Manchester Police

Please confirm...: I have read fully and understood the contents of this form and any supporting information and agree to the terms and/or conditions set out within

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

Document is Restricted

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

ABOUT YOU		PLEASE NOTE: LICENSING OFFICERS, LICENSING COMMITTEE MEMBERS AND THE APPLICANT CAN VIEW THE INFORMATION PROVIDED ON THIS FORM
Your first name (required)	Your last name (required)	
Helene	Corlett	
Your address including postcode (required)		
Trading Standards Service 1 Hammerstone Road Manchester M18 8EQ		
Contact email address	Contact phone no	
Helene.corlett@manchester.gov.uk	0161 234 1556	
Your signature (I hereby declare the information I have provided on and with this form is correct to the best of my knowledge and belief)		

ABOUT THE PREMISES
Application Ref No. (if known):
Name of the Premises about which you would like to make a representation:
District
Address of the Premises (including postcode if known):
Basement and ground floor 60 Oldham Street Manchester M4 1LE

YOUR REPRESENTATION
Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)
Trading Standards are of the opinion that the application is short on detail on what procedures the premises will implement to prevent underage sales of alcohol and thereby promoting the licensing objective of the protection of children from harm. Therefore we would like the following conditions attached to the licence should it be granted:

1. That in operating the Challenge 25 policy, that any person who appears to look under 25 years old will be asked for one of the following documents before being supplied alcohol:
 - A valid passport
 - Photocard driving licence
 - HM Forces warrant card
 - A card bearing the P.A.S.S. (Proof of Age Standards Scheme) hologram
2. The premises shall display prominent signage indicating in all areas where alcohol is located that a Challenge 25 scheme is in operation and that it is an offence to buy or to attempt to buy alcohol for a person who is under 18 and for a person under 18 to buy or attempt to buy alcohol.
3. A log shall be kept at the premises in either electronic or paper format, to record all refusals to sell alcohol. The log shall record the date and time of the refusal; the reason for the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log will be checked regularly by the designated premise supervisor to ensure it is being used by staff and each check shall be recorded in the log.
4. The Premise Licence Holder will ensure that before being permitted to sell and serve alcohol, all staff are trained to prevent underage sales and proxy purchases; in the operation of the Challenge 25 policy and how to record refusals in the refusals log. The training will be a documented training programme and will be refreshed at 6 monthly intervals. Training records will be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.

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

From: **Danny Collins** <[REDACTED]>
Date: Thu, 16 Jan 2020 at 10:42
Subject: RE: New Premises Licence Application 242393/PW5, District, 60 Oldham Street, Manchester, M4 1LE: Representation Received
To: Premises Licensing <premises.licensing@manchester.gov.uk>
Cc: Helene Corlett <helene.corlett@manchester.gov.uk>

Hi Patrick & Helene,

We are happy to attach all those conditions to the Licence.

Thanks
Danny Collins

----- Original message -----

From: Premises Licensing <premises.licensing@manchester.gov.uk>
Date: 16/01/2020 10:27 (GMT+00:00)
To: Danny Collins <[REDACTED]>
Cc: Helene Corlett <helene.corlett@manchester.gov.uk>
Subject: Re: New Premises Licence Application 242393/PW5, District, 60 Oldham Street, Manchester, M4 1LE: Representation Received

Sorry Danny

I forgot to attach it. I have attached it now.

Regards

Patrick

On Thu, 16 Jan 2020 at 09:54, Danny Collins <[REDACTED]> wrote:
Hi Patrick,

Thanks for your email. Is it possible you could send the attachment again as it doesn't seem to be on the email.

Regards

Thanks
Danny Collins

----- Original message -----

From: Premises Licensing <premises.licensing@manchester.gov.uk>
Date: 16/01/2020 09:05 (GMT+00:00)
To: Danny Collins <[REDACTED]>
Cc: Helene Corlett <helene.corlett@manchester.gov.uk>
Subject: New Premises Licence Application 242393/PW5, District, 60 Oldham Street, Manchester, M4 1LE: Representation Received

Hello Danny

The attached objection has been received from Helene Corlett in Trading Standards. As an objection has been received, the application will not automatically be granted after the

end of consultation but must go to a hearing with the Council's Licensing Sub-Committee who will decide the outcome of the application. An email will be sent to you following the end of the consultation period inviting you to the hearing.

What you can do next:

- Any time prior to the hearing you have the opportunity to contact the objector to see whether an **agreement** can be reached - contact details are on the attachment and also copied in on this email.
- If an **agreement** is reached it must be confirmed in writing - email is fine and the full email chain will be logged as the agreement.
- Where an objection is **agreed** the objector no longer needs to attend the hearing.

If any other objections are received I will forward them on to you.

Regards

Patrick Ware

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



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details

Application Ref No	M/242393
Name of Premises	District
Address	Basement And Ground Floor, 60 Oldham Street, Manchester, M4 1LE

Representation

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

The Licensing and Out of Hours Team have assessed the likely impact of the grant of this application taking into account a number of factors, including the the hours and activities applied for, the nature of the area in which the premises is located and the potential risk to the licensing objectives as a result of granting this licence. As a result of this assessment the Licensing and Out of Hours Team (LOOH) have concerns that the grant of the application, in its current form, is likely to lead to The Prevention of Public Nuisance being undermined.

The LOOH team have also given consideration to Manchester City Council's Statement of Licensing policy, in particular S7.25 in relation to the proximity of the premises to local residents and other local businesses particularly in relation to the potential for nuisance.

'Where premises are in the direct vicinity of local residents properties, and where discretion is engaged, the authority will give particular consideration to measures proposed in the application in relation to prevent nuisance.

The premises is located at 60 Oldham Street and is surrounded by residential premises above and adjacent to the proposed Licensed Premises. The neighbouring property at 60A Oldham Street is a residential block, and there are residential properties opposite the proposed restaurant and bar. The applicant has proposed the following condition under the Licensing Objective Prevention of Public Nuisance:

Officers are not satisfied that the conditions offered are sufficient to mitigate noise nuisance from patrons visiting the proposed establishment. LOOH therefore recommend the following conditions should be attached to the Premises licence (this includes rewritten offered conditions to make them clear and enforceable) :

1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
2. There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.
3. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises
4. Staff shall be provided with comprehensive training in preventing drunkenness; drug policy; managing and resolving conflict; emergency procedures; complying with the licence conditions; and obligations and offences under the Licensing Act that apply to the sale of alcohol.
5. Staff training will include the Challenge 25 policy and its operation. In particular staff will 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.
6. The training will be given to a new member of staff before they commence paid employment.
7. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council
8. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:
 - (a) all crimes reported to the venue, or by the venue to the police
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) seizures of drugs, offensive weapons, fraudulent ID or other items
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service
 - (j) the times on/off duty, names and the licence numbers of all licensed door supervisors employed by the premises
9. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol.
10. The premises shall display prominent signage indicating at any point of sale that the Challenge 25 scheme is in operation

11. A first aid box will be available at the premises at all time.
12. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
13. There shall be no admittance or remittance to the premises after 01.30hrs
14. No customers under the age of 18 shall be admitted onto the premises from 22.00hrs unless part of a pre-organised private event and accompanied by a responsible adult over the age of 18.
15. A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents in the vicinity.
16. Patrons permitted to temporarily leave and then re-enter the premises, e.g. To smoke, shall not be permitted to take drinks or glass containers with them.
17. All sales of alcohol for consumption off the premises shall not be removed from premises unless in sealed containers only.
18. No bottles, glasses or similar items may be disposed of in outside receptacles between the hours of 2300 and 0700.
19. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.
20. No deliveries must be made to the premises between 2200 and 0700 hours.
21. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
22. There shall be a documented dispersal policy, as agreed with the relevant responsible authorities, implemented at the premises and a copy lodged with the Council's Licensing Unit.
23. The premises shall install and maintain a digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. CCTV shall continually record whilst the premises are open to the public and the recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping.
24. 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.

LOOH believe these conditions are proportionate and necessary to uphold the four licensing objectives.

Recommendation: Approve Application
Approve with Conditions (Outlined Above)
Refuse Application

From: Jonathon Mathers <jonathon.mathers@manchester.gov.uk>
Date: Tue, 21 Jan 2020 at 12:58
Subject: Fwd: DISTRICT Premises Licence Application: REF - 653559
To: Premises Licensing <premises.licensing@manchester.gov.uk>

Forwarded Conversation

Subject: DISTRICT Premises Licence Application: REF - 653559

From: Jonathon Mathers <jonathon.mathers@manchester.gov.uk>
Date: Thu, 16 Jan 2020 at 18:49
To: danny.collins <[REDACTED]>

Hi Danny,

Great to meet you this afternoon, thank you for your time.

As discussed, here are the licence conditions we agreed earlier. Can you please confirm in writing you accept these conditions. If you have any questions please don't hesitate to get in touch.

Licence Conditions

No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance. There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises. Staff shall be provided with comprehensive training in preventing drunkenness; drug policy; managing and resolving conflict; emergency procedures; complying with the licence conditions; and obligations and offences under the Licensing Act that apply to the sale of alcohol. Staff training will include the Challenge 25 policy and its operation. In particular staff will 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 will be given to a new member of staff before they commence paid employment. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:

(a) all crimes reported to the venue, or by the venue to the

police

(b) all ejections of patrons

(c) any complaints received

(d) any incidents of disorder

(e) seizures of drugs, offensive weapons, fraudulent ID or other items

(f) any faults in the CCTV system, searching equipment or scanning equipment

(g) any refusal of the sale of alcohol

(h) any visit by a relevant authority or emergency service

(j) the times on/off duty, names and the licence numbers of all licensed door supervisors employed by the premises

The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol.

The premises shall display prominent signage indicating at any point of sale that the Challenge 25 scheme is in operation

A first aid box will be available at the premises at all time.

Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.

There shall be no admittance or remittance to the premises after 01.30hrs

No customers under the age of 18 shall be admitted onto the premises from 22.00hrs unless part of a pre-organised private event and accompanied by a responsible adult over the age of 18.

A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents in the vicinity.

Patrons permitted to temporarily leave and then re-enter the premises, e.g. To smoke, shall not be permitted to take drinks or glass containers with them.

All sales of alcohol for consumption off the premises shall not be removed from premises unless in sealed containers only.

No bottles, glasses or similar items may be disposed of in outside receptacles between the hours of 2300 and 0700.

The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.

No deliveries must be made to the premises between 2200 and 0700 hours.

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.

There shall be a documented dispersal policy, as agreed with the relevant responsible authorities, implemented at the premises and a copy lodged with the Council's Licensing Unit.

The premises shall install and maintain a digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. CCTV shall continually record whilst the premises are open to the public and the 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.

Kind regards,

Jon Mathers
Licensing & Out of Hours Compliance Officer
The Neighbourhoods Service
Growth and Neighbourhoods
Manchester City Council
Web: <http://www.manchester.gov.uk>
Email: jonathon.mathers@manchester.gov.uk
0161 234 1220

Postal address;
Manchester City Council, Growth & Neighbourhoods, Licensing & Out of Hours
Team , PO Box 532, Town Hall, Manchester, M60 2LA

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From: danny.collins <[REDACTED]>
Date: Mon, 20 Jan 2020 at 15:58
To: Jonathon Mathers <jonathon.mathers@manchester.gov.uk>

Hi Jon,

We are happy for all of these conditions to be applied to our licence. Again, it was great to meet you and anything we can do going forward please just drop me an email.

Kind regards
Danny

Sent from my Samsung Galaxy smartphone.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. The full text of the Council's email disclaimer is available at www.manchester.gov.uk/emaildisclaimer.

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This footnote also confirms that this email message has been swept for the presence of computer viruses.

From: Jonathon Mathers <jonathon.mathers@manchester.gov.uk>
Date: Mon, 20 Jan 2020 at 16:00
To: danny.collins <[REDACTED]>

Hey Danny,

Thanks for letting me know, I literally just this minute emailed you so please disregard that email.

I'll forward this information to premises licensing.

thanks again and I wish you all the best moving forward

Kind regards

Jon Mathers

Jon Mathers
Licensing & Out of Hours Compliance Officer
The Neighbourhoods Service
Growth and Neighbourhoods
Manchester City Council
Web: <http://www.manchester.gov.uk>
Email: jonathon.mathers@manchester.gov.uk
0161 234 1220

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 242393
Name of the Premises	District,
Address of the premises including postcode	Basement and Ground Floor, 60 Oldham Street, Manchester M4 1LE

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 offered some conditions within the application but GMP would expect more robust conditions 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.

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. 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
- (d) any faults in the CCTV system
- (e) any visit by a relevant authority or emergency service
- (f) All refusals of sales of alcohol

The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of identification to enable to verify their identity against the notice.

The premises shall display prominent signage indicating at any point of sale, the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.

In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals.

On Friday and Saturday minimum of 2 SIA registered doorstaff shall be employed at the premises from 2100 hours until 30 minutes after closing 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 0200 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.

From: **Danny Collins** <[REDACTED]>
Date: Thu, 30 Jan 2020 at 11:49
Subject: RE: Objection to LPA 242393 - District, Basement and Ground Floor, 60 Oldham Street, Manchester M4 1LE
To: Premises Licensing
<premises.licensing@manchester.gov.uk>, danny.collins@email.com <[REDACTED]>
Cc: Alan Isherwood <Alan.Isherwood@gmp.police.uk>

Hi Alan,

We are happy to accept all conditions noted. Some of which we have already agreed to abide by at the request of the late night licensing team.

I have kept Licensing cc'd in to this email so they have a chain of discussion. Please can you confirm you are happy for the license to go ahead now that we have accepted these conditions.

Kind regards

Danny Collins

----- Original message -----

From: Premises Licensing <premises.licensing@manchester.gov.uk>
Date: 27/01/2020 09:19 (GMT+00:00)
To: [REDACTED], Danny Collins <[REDACTED]>
Cc: Alan Isherwood <Alan.Isherwood@gmp.police.uk>
Subject: Fwd: Objection to LPA 242393 - District, Basement and Ground Floor, 60 Oldham Street, Manchester M4 1LE

Hello Danny

We have received the attached representation from PC Alan Isherwood of Greater Manchester Police. Please contact PC Isherwood direct regarding his representation. Should agreement be reached, we will require the full email chain showing what has been agreed.

Regards

Patrick Ware
[REDACTED]

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

From: <Alan.Isherwood@gmp.police.uk>
Date: Sat, 25 Jan 2020 at 20:54
Subject: Objection to LPA 242393 - District, Basement and Ground Floor, 60 Oldham Street, Manchester M4 1LE
To: <premises.licensing@manchester.gov.uk>
Cc: <CentralLicensing@gmp.police.uk>

Please find attached objection notice in relation to the above new Premises Licence application.

Kind Regards

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

0161 856 6017

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From: [REDACTED] <[REDACTED]>
 Date: Mon, 27 Jan 2020 at 19:33
 Subject: License Application for 60 Oldham Street M4 1LE
 To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>

To whom it may concern

I am writing to object against the License Application for 60 Oldham Street. As a resident of [REDACTED] at [REDACTED]. However, as a building we have not actually received any written notification of this application. Instead I have had to photograph the information from the door of No.60 This is not usual practice. Why was no formal letter supplied to residents?

The application asks for email responses on or before 28/1/20, thus I am on time as this will arrive on 28/1/20.

As a resident my objections are not based upon simply the non granting of the licence, although I would ask the question; at what point is Oldham Street seen as being officially saturated with establishments selling alcohol?

My objections are based on the immediate impact to the street, particularly at throwing out time. I'll be honest and say that I do not have much faith in the objections system being remotely fair, particularly with regards to residents as, through first hand experience having attended a licence application meeting at the town hall for a new restaurant directly next door to number [REDACTED], it was very much "fait au complies" despite serious and well informed arguments being put by the residents of the street. Indeed, when one of the councillors had to be reminded where Oldham Street was it did make you think who is actually making the decisions that affect other peoples lives.

With reference, therefore, to No.60 I am objecting on the basis that the impromptu taxi rank (see attached photo) that appears both Friday and Saturday night is illegal and yet there is no one around at 2.30am to police it. Horns blaring etc. If it was on your own street you would no doubt be complaining about it. The new venue will not ease this problem, but add to it.

In addition the bars of the area that already have licenses are not either caring or sympathetic to the plight of the residents. Behind Closed Doors regularly put their waste, including lemons and plastic straws, down the grid outside their premises. Please see attached photo.

If there were two very good reasons not to grant another bar or restaurant a license then they must be it. Granting licenses is simply adding to the noise, litter and crime of the area, particularly late at night. I would be delighted to meet anyone on the licensing committee so explain "on site" the knock on effect of their decision making, but such a meeting would need to happen at 2.30am on a Sunday morning and as yet no one has taken me up on the matter....the offer still stands.

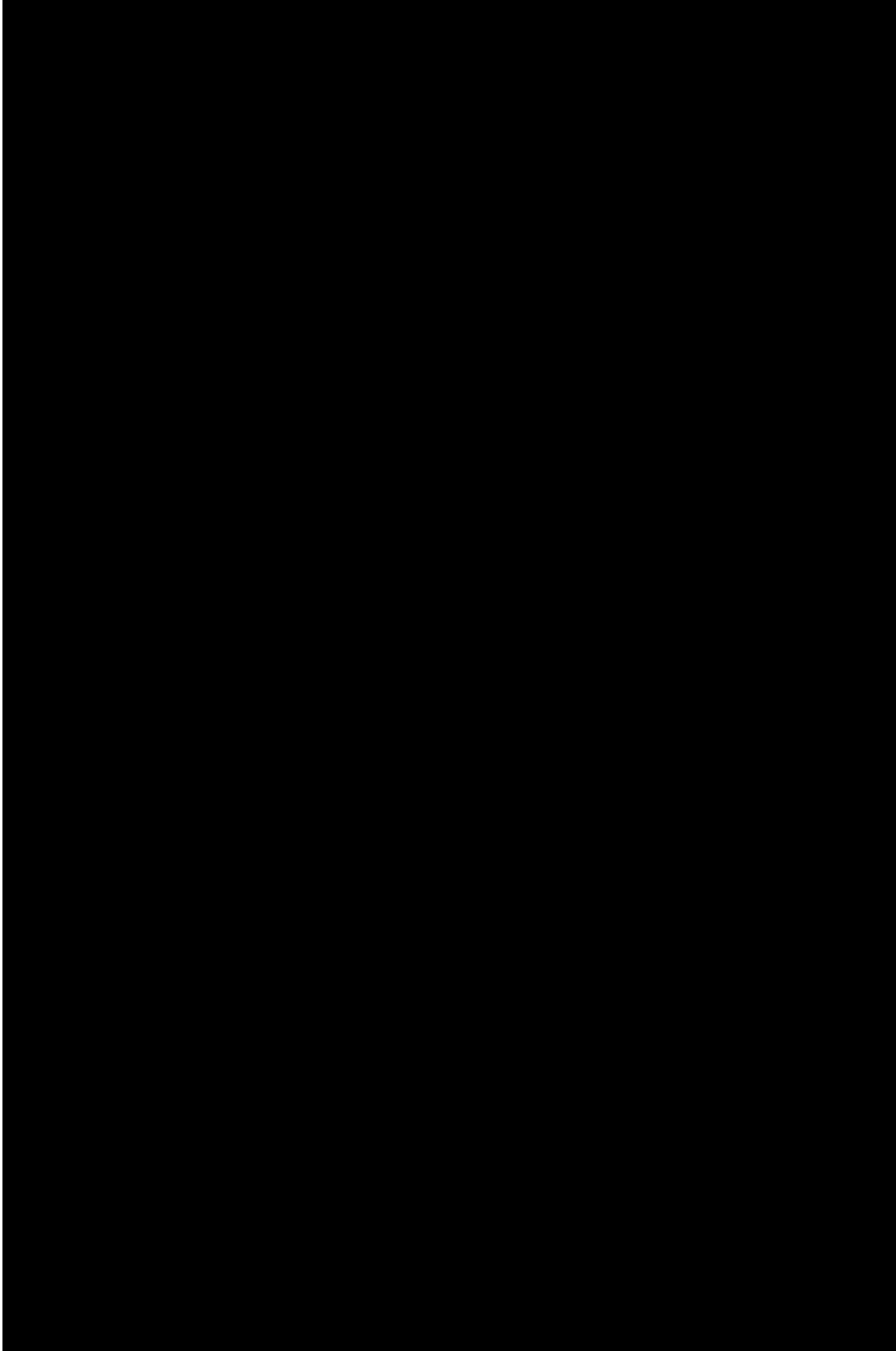
Illegal taxi rank on double yellow lines on Oldham Street, extending from the traffic lights at "Light Bites" to [REDACTED] 99 Oldham Street. There is no policing of this rank, but is is contrary to each black cabs license agreement. No.60 would add to this problem.

The waste that Behind Closed Doors regularly puts down the grid outside their premises on Oldham Street./ The limes, lemons and straws are from their bar. Surely this is not part of their licence agreement, but as a resident it happens regularly. If more licenses are to be approved then Manchester City Council should be policing the relevant areas. On the council website it states that taxi ranks have stewards. This is simply not the case...and the Oldham Street "rank" is illegal.

Kind regards



PS. Please let me know who is available to meet one Sunday morning in order to demonstrate first hand the problems that arise from issuing licenses to properties without fully considering the impact on the residents of the area.





Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Management shall ensure relevant training of staff in sale of alcohol, Challenge 25 and fire safety. 2. There shall be security staff at the premises during peak times. 3. There shall be a CCTV system covering all entrances, exits, entrance/exit to public WC, till systems and drinking/dining areas. 4. Customers to be reminded to consider local residents when leaving the premises of an evening. 5. Customers will be advised to leave the premises quietly at later times or whilst out smoking. 6. There shall be regular sweeping/cleaning of shop frontage. 7. There shall be strong adherence to Challenge 25. 8. No customers under 18's in bar at any time unless part of a pre-organised private event. 	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. 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 	Yes	GMP

Schedule of Licence Conditions

<ul style="list-style-type: none"> b. all ejections of patrons c. any incidents of disorder d. any faults in the CCTV system e. any visit by a relevant authority or emergency service f. all refusals of sales of alcohol <ol style="list-style-type: none"> 3. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of identification to enable to verify their identity against the notice. 4. The premises shall display prominent signage indicating at any point of sale, the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18. 5. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. 6. On Friday and Saturday minimum of 2 SIA registered doorstaff shall be employed at the premises from 2100 hours until 30 minutes after closing 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. 7. On Friday and Saturday each day the NiteNet radio system shall be operated at the premises from 2100 hours until 0200 hours. 8. At least one member of door staff situated at the entrance to the premises shall wear and use a body cam to capture incidents of violence and/or anti- social behaviour. 		
<ol style="list-style-type: none"> 1. That in operating the Challenge 25 policy, that any person who appears to look under 25 years old will be asked for one of the following documents before being supplied alcohol: <ul style="list-style-type: none"> ○ A valid passport ○ Photocard driving licence ○ HM Forces warrant card ○ A card bearing the P.A.S.S. (Proof of Age Standards Scheme) hologram 	Yes	Trading Standards

Schedule of Licence Conditions

<ol style="list-style-type: none"> 2. The premises shall display prominent signage indicating in all areas where alcohol is located that a Challenge 25 scheme is in operation and that it is an offence to buy or to attempt to buy alcohol for a person who is under 18 and for a person under 18 to buy or attempt to buy alcohol. 3. A log shall be kept at the premises in either electronic or paper format, to record all refusals to sell alcohol. The log shall record the date and time of the refusal; the reason for the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log will be checked regularly by the designated premise supervisor to ensure it is being used by staff and each check shall be recorded in the log. 4. The Premise Licence Holder will ensure that before being permitted to sell and serve alcohol, all staff are trained to prevent underage sales and proxy purchases; in the operation of the Challenge 25 policy and how to record refusals in the refusals log. The training will be a documented training programme and will be refreshed at 6 monthly intervals. Training records will be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council. 		
<ol style="list-style-type: none"> 1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance. 2. There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance. 3. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises 4. Staff shall be provided with comprehensive training in preventing drunkenness; drug policy; managing and resolving conflict; emergency procedures; complying with the licence conditions; and obligations and offences under the Licensing Act that apply to the sale of alcohol. 5. Staff training will include the Challenge 25 policy and its operation. In particular staff will 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. 6. The training will be given to a new member of staff before they commence paid employment. 7. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or 	Yes	Licensing and Out of Hours

Schedule of Licence Conditions

<p>an authorised officer of Manchester City Council</p> <p>8. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:</p> <ul 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 complaints received (d) any incidents of disorder (e) seizures of drugs, offensive weapons, fraudulent ID or other items (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service (j) the times on/off duty, names and the licence numbers of all licensed door supervisors employed by the premises <p>9. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol.</p> <p>10. The premises shall display prominent signage indicating at any point of sale that the Challenge 25 scheme is in operation</p> <p>11. A first aid box will be available at the premises at all time.</p> <p>12. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.</p> <p>13. There shall be no admittance or remittance to the premises after 01.30hrs</p> <p>14. No customers under the age of 18 shall be admitted onto the premises from 22.00hrs unless part of a pre-organised private event and accompanied by a responsible adult over the age of 18.</p> <p>15. A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents in the vicinity.</p> <p>16. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or</p>		
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Schedule of Licence Conditions

<p>glass containers with them.</p> <p>17. All sales of alcohol for consumption off the premises shall not be removed from premises unless in sealed containers only.</p> <p>18. No bottles, glasses or similar items may be disposed of in outside receptacles between the hours of 2300 and 0700.</p> <p>19. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.</p> <p>20. No deliveries must be made to the premises between 2200 and 0700 hours.</p> <p>21. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.</p> <p>22. There shall be a documented dispersal policy, as agreed with the relevant responsible authorities, implemented at the premises and a copy lodged with the Council's Licensing Unit.</p> <p>23. The premises shall install and maintain a digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. CCTV shall continually record whilst the premises are open to the public and the recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping.</p> <p>24. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.</p>		
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 17 February 2020

Subject: Brickworks, Basement, Barton Arcade, Manchester, M3 2BJ - App
ref: Premises Licence (new) 242299

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue - None

Financial Consequences – Capital - None

Contact Officers:

Name: Fraser Swift
Position: Principal Licensing Officer
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Name: 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 23/12/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Brickworks, Basement, Barton Arcade, Manchester, M3 2BJ 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 FAC251 Limited.
- 2.3 The description of the premises given by the applicant is: 'Creative Arts and Events Space / Corporate Events Space'
- 2.4 The proposed designated premises supervisor is Mr Jordan William Partridge.

2.5 **The licensable activities applied for:**

Provision of regulated entertainment (plays, films, boxing or wrestling entertainment, live music, recorded music, performances of dance and anything of a similar description to live music, recorded music or performances of dance):

Sun to Thu 11am to 3am

Fri to Sat 11am to 6am

Provision of late night refreshment:

Sun to Thu 11pm to 3am

Fri to Sat 11pm to 6am

The supply of alcohol for consumption on the premises only:

Sun to Thu 11am to 3am

Fri to Sat 11am to 6am

Opening hours:
 Sun to Thu 11.00am to 3.00am
 Fri to Sat 11.00am to 6.00am

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

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

2.6 Activities unsuitable for children

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

2.7 Steps to promote the licensing objectives

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

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

3. Relevant Representations

3.1 A total of 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	In reference to the hours applied for (in respect to proposed licensable activities at the premises on Fridays and Saturdays, and in conjunction with the existing levels of policing resources deployed within the city centre area of Manchester); GMP are requesting amendments to the operating	Grant with conditions and amendments to applied for licensable activity timings

	<p>times of the premises for those days of the week as it is felt that, by allowing the application to be granted in its existing form, undue and unacceptable levels of stress would be placed upon the Police's ability to effectively enforce and maintain their night time operation in the city centre area. GMP believes that if the applied for premises operating times on Friday and Saturday evenings are not 'drawn back' to the hours requested, then such a decision would create a substantial adverse effect on the promotion of the Licensing Objectives at the premises itself and also within the premises' immediate vicinity. GMP are also requesting the addition of extra conditions relating to the provision and use of door staff at the premises, should the licence be granted.</p>	
<p>Licensing and Out of Hours Compliance</p>	<p>As with GMP, LOOH Compliance are sufficiently concerned with the applied for operating times for the premises (re: Friday and Saturday evenings) to request that the proposed timings are similarly amended to match those timings as are being proposed in the GMP representation. LOOH Compliance have based their concerns on previous recorded incidents that have occurred at the premises whilst operating under active premises licence 208723 (as highlighted in their representation). It is of concern to LOOH Compliance that the extended operating hours applied for, specifically for Friday and Saturday evenings, would likely result in the premises becoming a 'destination' location for persons wishing to extend their night time activities in the city centre. LOOH compliance are assured that the potential for noise disturbance, antisocial behaviour and increase in on-street litter would all be greatly increased should the application be granted in its current form and are requesting that, as well as the reduction in operating times for Friday and Saturday evenings, a range of conditions are imposed on to the licence to assist in ensuring that the correct upholding of the Licensing Objectives at the premises takes place. It is also LOOH Compliance's request that the application to extend the non-standard timing for licensable activities, on Sundays preceding a Bank Holiday, be</p>	<p>Grant with conditions and amendments to applied for licensable activity timings</p>

	restricted to one hour beyond the standard timing and not to 06:00hrs as applied for.	
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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
- Ability to clean and maintain the street scene

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

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

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

Conclusion

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

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

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

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Brickworks
Basement, Barton Arcade, Manchester, M3 2BJ

Premises Licensing
Manchester City Council

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PREMISE NAME: Brickworks

PREMISE ADDRESS: Basement, Barton Arcade, Manchester, M3 2BJ

WARD: Deansgate

HEARING DATE: 10th February 2020

Manchester City Council

**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 FAC251 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			
Brickworks Basement Barton Arcade			
Post town	Manchester	Postcode	M3 2BJ
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£Band C	

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 | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <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 please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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					
Nationality					
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal 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					
Nationality					
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal 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)					

(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 FAC251 Limited
Address Kay Johnson Gee LLP 2nd Floor 1 City Road East Manchester M15 4PN
Registered number (where applicable) 06161539

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
A	S	A P

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)

Creative Arts and Event Space and Corporate Event Space.

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 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)

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

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

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 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11:00	03:00	<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	11:00	03:00			
Wed	11:00	03:00	<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur	11:00	03:00			
Fri	11:00	06:00	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	11:00	06:00		On all Bank Holiday Sundays, licensable activities will be extended to 06:00.	
Sun	11:00	03:00	On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour.		
			New Year's Eve - licensable activities will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	03:00	<u>Please give further details here</u> (please read guidance note 3)		
Tue	11:00	03:00			
Wed	11:00	03:00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur	11:00	03:00			
Fri	11:00	06:00	<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 5)		
Sat	11:00	06:00	On all Bank Holiday Sundays, licensable activities will be extended to 06:00.		
Sun	11:00	03:00	On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour. New Year's Eve - licensable activities will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)		
Day	Start	Finish			
Mon					
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for indoor</u>		

			<p>sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)</p>
Fri			
Sat			
Sun			

D

<p>Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)</p>			<p>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</p>	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<p>Please give further details here (please read guidance note 3)</p>		
Mon	11:00	03:00			
Tue	11:00	03:00	<p>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)</p>		
Wed	11:00	03:00	<p>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 5)</p> <p>On all Bank Holiday Sundays, licensable activities will be extended to 06:00.</p> <p>On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour.</p> <p>New Year’s Eve - licensable activities will be extended from the end of the permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day.</p>		
Thur	11:00	03:00			
Fri	11:00	06:00			
Sat	11:00	06:00			
Sun	11:00	03:00			

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	03:00	<u>Please give further details here</u> (please read guidance note 3)		
Tue	11:00	03:00			
Wed	11:00	03:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur	11:00	03:00			
Fri	11:00	06:00	<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 5)		
Sat	11:00	06:00	On all Bank Holiday Sundays, licensable activities will be extended to 06:00.		
Sun	11:00	03:00	On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour. New Year's Eve - licensable activities will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	03:00	<u>Please give further details here</u> (please read guidance note 3)		
Tue	11:00	03:00			
Wed	11:00	03:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur	11:00	03:00			

Fri	11:00	06:00	<p><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p> <p>On all Bank Holiday Sundays, licensable activities will be extended to 06:00.</p> <p>On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour.</p> <p>New Year's Eve - licensable activities will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>
Sat	11:00	06:00	
Sun	11:00	03:00	

G

Performances of dance Standard days and timings (please read guidance note 6)			<p><u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p> <p>Indoors <input checked="" type="checkbox"/></p> <p>Outdoors <input type="checkbox"/></p> <p>Both <input type="checkbox"/></p>
Day	Start	Finish	
Mon	11:00	03:00	
Tue	11:00	03:00	<p><u>Please give further details here</u> (please read guidance note 3)</p>
Wed	11:00	03:00	
Thur	11:00	03:00	<p><u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)</p> <p><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 5)</p> <p>On all Bank Holiday Sundays, licensable activities will be extended to 06:00.</p> <p>On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour.</p> <p>New Year's Eve - licensable activities will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>
Fri	11:00	06:00	
Sat	11:00	06:00	
Sun	11:00	03:00	

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	11:00	03:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	11:00	03:00	Please give further details here (please read guidance note 3)		
Wed	11:00	03:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur	11:00	03:00			
Fri	11:00	06:00			
Sat	11:00	06:00	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	11:00	03:00	On all Bank Holiday Sundays, licensable activities will be extended to 06:00.		
			On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour.		
			New Year's Eve - licensable activities will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
Mon	23:00	03:00	Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
			Please give further details here (please read guidance note 3)	

Tue	23:00	03:00	
Wed	23:00	03:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)
Thur	23:00	03:00	
Fri	23:00	06:00	<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 5)
Sat	23:00	06:00	
Sun	23:00	03:00	On all Bank Holiday Sundays, licensable activities will be extended to 06:00. On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour. New Year's Eve - licensable activities will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	11:00	03:00	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Tue	11:00	03:00			
Wed	11:00	03:00			
Thur	11:00	03:00	<u>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</u> (please read guidance note 5)		
Fri	11:00	06:00			
Sat	11:00	06:00	On all Bank Holiday Sundays, licensable activities will be extended to 06:00.		
Sun	11:00	03:00	On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour.		
			New Year's Eve - licensable activities will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

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 8).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	11:00	03:00	
Tue	11:00	03:00	

Wed	11:00	03:00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p> <p>On all Bank Holiday Sundays, opening hours will be extended to 06:00.</p> <p>On the day when British Summer Time commences, and on that day only, opening hours will be extended by one hour.</p> <p>New Year's Eve - opening hours will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>
Thur	11:00	03:00	
Fri	11:00	06:00	
Sat	11:00	06:00	
Sun	11:00	03:00	

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 9)

b) The prevention of crime and disorder

1. A CCTV system shall be maintained and operated at the premises.
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 on an event by event basis. When employed, door staff will wear high visibility armbands.
6. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - the number of door staff on duty;
 - the identity of each member of door staff;
 - the times the door staff are on duty.
7. Open containers of alcohol shall not be removed from the premises, save for consumption in

any delineated external area.

8. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.
9. Staff will be trained in the law relating to underage sales and the operation of the conditions attached to this licence and that training shall be document and repeated at 6 monthly intervals.
10. A Dispersal Policy and a Smoking Policy will be implemented and adhered to.

c) Public safety

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

d) The prevention of public nuisance

15. Noise from affiliated music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
16. No noise shall emanate from the premises nor vibration to be transmitted through the structure of the premises which gives rise to nuisance.
17. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
18. The emptying of bins into skips, and refuse collections will not take place between 11pm and 8am.

e) The protection of children from harm

19. A "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram.
20. Staff training will include the Challenge 21 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.
21. Notices advising what forms of ID are acceptable must be displayed.
22. Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.

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 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11). **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 12). 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 13)

██
██
██

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

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GREATER MANCHESTER POLICE - REPRESENTATION

About You

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

About the Premises

Application Reference No.	LPA 242299
Name of the Premises	Brickworks
Address of the premises including postcode	Basement, Barton Arcade, Manchester M3 2BJ

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, Public Safety and the Prevention of Public Nuisance.

The application seeks to allow the premises to sell alcohol, permit regulated entertainment and provide late night refreshment until 3am Sunday to Thursday and until 6am in Friday and Saturday

The location where the premises are situated has other licence premises but these all finish their licensable activities by 4am at the weekend and GMP would not want to see any premises extending this terminal hour in the location as it would have a massive impact on the GMP night time operation.

At the moment the operation commander is able to redeploy resources from this location to other more problematic areas of the city centre from 4am but if this licence was granted with the 6am finish this would not be possible as patrols would have to remain in this location to maintain order and keep the peace.

GMP have no problem with the 3am finish during the rest of the week but if this licence was granted we would ask that the licensable activities on Fridays and Saturdays be pulled back to 04:00 with the premises closing at 04:30. We also would have expected to see a more robust doorstaff condition on the application so we would ask that the following conditions are also attached to the licence if it is granted:

A Risk assessment will be prepared for all events at the premises. For non-corporate/product launch events that are running after 2300 hours door staff will be employed at the premises from 2200 hrs until close, at a ratio of 1 door supervisor to 100 customers, with a minimum of 2 door supervisors on duty. A door supervisor deployment plan will be written and door staff will be deployed where risk assessed to ensure sufficient members of the SIA door team are placed at areas within the premises requiring additional supervisor. The Premises Licence Holder will deploy at least 1 door supervisor per 100 people in the queue to enter the premises.

At least one member of door staff at the entrance to the premises will wear and use a body cam to record all incidents of disorder and all ejections. All door staff shall wear hi-vis jackets/vests whilst on duty.



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details

Application Ref No	242299
Name of Premises	Brickworks
Address	Basement, Barton Arcade, Manchester, M3 2BJ

Representation

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

The Licensing and Out of Hours Team have assessed the likely impact of the granting of this application taking into account a number of factors, including the nature of the business, location of the premise, the Councils Statement of Licensing Policy 2016-2021 and any potential risk that the granting of this variation application will undermine the Council Licensing Policy including the four licensing objectives of public nuisance, crime and disorder, protection of children from harm and public safety.

As a result of our assessment we have concerns that the granting of this application is likely to lead to issues of public nuisance and the undermining of the Council's Licensing Policy.

This is a large capacity premises located in the sub-basement of Barton Arcade covering approximately 10,000 sq.ft, the full footprint of the Barton Arcade complex demonstrated in **Exhibit AO1**. The premises has residential properties within 30 meters of the venue.

The layout of the venue is not a large open plan space but rather a series of linked spaces including a cinema, stage and other various spaces shown in **exhibit AO2**. The plan of the premises, see **exhibit AO3** does not include sufficient detail of how CCTV will cover the premises for the days stipulated on the application. This raises concerns about public safety, in particular with regards to how responsible authorities may investigate any offences committed within areas of the venue that may not be covered by CCTV.

The entrance/ exit to the venue is on Barton Square which is a narrow back street between Barton Arcade and St Ann's Square, see **Exhibit AO4**.

The applicant has made a request for a new premises licence which largely replicates the active premises licence, **see exhibit AO5**; the application has a new premises licence holder but with the existing DPS.

Changes requested from the active licence:

Change in hours:

Provision of regulated entertainment (plays, films, live music, recorded music, performances of dance and anything of a similar description to live music, recorded music or performances of dance):

From: Mon to Sun 1000 to 0200

To: Sun to Thu 1100 to 0300 Fri to Sat 1100 to 0600

Provision of late night refreshment:

From: Mon to Sun 1000 to 0200

To: Sun to Thu 1100 to 0300 Fri to Sat 1100 to 0600

The supply of alcohol for consumption on the premises:

From: Mon to Sun 1000 to 0200

To: Sun to Thu 1100 to 0300 Fri to Sat 1100 to 0600

Opening hours:

From: Mon to Sun 1000 to 0230

To: Sun to Thu 1100 to 0300 Fri to Sat 1100 to 0600

Non-standard timings:

On all Bank Holiday Sundays, licensable activities will be extended to 06:00.

Omitted conditions:

Annex 3

1. The occupancy of the premises shall be restricted to no more than 280 persons at any one time.
2. Staff will be trained in the law relating to underage sales and the operation of the conditions attached to this licence and that training shall be documented and repeated at 6 monthly intervals
3. The premises shall be utilised as an event space where licensable activities shall only be provided to customers who have tickets, have signed up to attend an event or are on a guest list.

Section 4.11 of Manchester City Council's Statement of Licensing Policy states that the principles that will be applied in respect of any conditions imposed on licences and certificates by the Licensing Authority should be tailored to the individual type, location and characteristics of the premises and events concerned.

Given that the application has requested significantly later hours, increased the capacity of the premises along with the addition of boxing or wrestling entertainments to the current premise licence, LOOH would have expected to see changes to the operating schedule to reflect the requested changes.

When assessing this application we have given particular consideration to Manchester City Council's statement of Licensing Policy 2016-2021 and how the granting of this application would undermine our Policy, specifically to:

Paragraph 7.26 refers to consideration the Authority should make to prevention of nuisance such as noise disturbance from people entering and leaving the premises, prevention of disturbance by people outside the premises, litter from premises.

Paragraph 7.28 in that the licensing authority will give consideration to the appropriateness of hours applied for, having regard for the location of premises and their likely effect of the promotion of the four Licensing

Objectives

Paragraph 7.29 the authority considers that late hours will typically be more sensitive and higher risk in causing problems

Paragraph 7.31 states that the lateness of terminal hour for the premises will often be a contributory factor in the potential for disturbance.

When considering the request to extend the hours of licensable activities on Fridays, Saturdays to 6am, we feel these hours will greatly impact on residents in the vicinity especially on Bank Holiday weekends when the application requests the premises to operate until 06:00 for three consecutive days. These concerns relate specifically to noise by patrons leaving at the terminal hour and those permitted to temporarily leave to smoke.

A further concern is that the premises will become a 'go to' location for patrons potentially already intoxicated wishing to continue their night in the City, as at the weekend premises in the area generally close between 00:00- 04:00hrs. The concern of the LOOH Team is that this would lead to an increase in footfall, which will result in increased noise disturbance in the area, which as previously mentioned contains residential properties within 30 meters of the premises.

The application has not provided any details on how it intends to manage patron's queueing, temporarily leaving the venue to smoke or dispersal management at this location with regards to noise, litter or other instances of nuisance/disorder. I am aware of another premises operated by the Premise Licence Holder where despite numerous request and a condition on the licence which stipulates a copy of the dispersal policy is to be lodged with the Council's Licensing Unit, at the time of writing this representation this document has not been received.

The general description of the premises provided by the applicant is 'Creative Arts, Event Space and Corporate Event Space'. The premises has currently been solely operating as an event space and despite numerous requests for the venue to provide a detailed calendar of events to the LOOH Team this information has never been received.

Officers attended the premises on 4 May 2019 when it was hosting a sneaker festival by Crepe City who specialise in the rarest and most desirable trainers and whom claim on their website to be the largest sneaker event in Europe. Officer's encountered marshalled long queue's that extended as far reaching as Deansgate and St Mary's Gate and causing a public nuisance by blocking fire escapes and entrances to neighbouring businesses, see **exhibits AO6 & AO7**. Officers were so concerned about public safety they raised their concerns and share images with the Chief Inspector (GMP), who was unaware the event and redirected Police Officers to the area.

The active licence has condition 1, annex 3 relating to capacity of 280 persons; at the time of the initial visit the premises was in breach of this condition with 287 patrons on the premises. Following a discussions with the premises manager and promoter approximately 890 tickets, without allocated timescales had been sold with further promotion being conducted by the promoter on Market Street. The DPS was not on site at this time and despite officers being told on numerous occasions that the DPS would contact the officers regarding the concerns around public safety from both LOOH & GMP, the DPS failed to make any contact regarding the event.

Given the historic difficulties in communication with the DPS when solely responsible for this premises, along with the application for him to be a DPS at a similar venue in the City Centre. The LOOH team have concerns with the ability of the DPS to manage and uphold the licensing objective at premises located on either side of the City.

We therefore recommend that in order to prevent the problems described above the following amendments to the hours and conditions should be attached to the Premises Licence, if granted:

Provision of regulated entertainment (plays, films, live music, recorded music, performances of dance and anything of a similar description to live music, recorded music or performances of dance):

From: Sun to Thu 1100 to 0300 Fri to Sat 1100 to 0600

To: Sun to Thu 1100 to 0300 Fri to Sat 1100 to 0400

Provision of late night refreshment:

From: Sun to Thu 1100 to 0300 Fri to Sat 1100 to 0600

To: Sun to Thu 1100 to 0300 Fri to Sat 1100 to 0400

The supply of alcohol for consumption on the premises:

From: Sun to Thu 1100 to 0300 Fri to Sat 1100 to 0600

To: Sun to Thu 1100 to 0300 Fri to Sat 1100 to 0400

Opening hours:

From: Sun to Thu 1100 to 0300 Fri to Sat 1100 to 0600

To: Sun to Thu 1100 to 0300 Fri to Sat 1100 to 0400

Non-standard timings:

On all Bank Holiday Sundays, licensable activities will be extended to one additional hour following the terminal hour.

The DPS shall be on duty on the premises at all times when the premises are holding large capacity events.

The DPS shall ensure that up to date contact information is provided to the Council's Licensing Unit & Greater Manchester Police.

There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

Staff training shall include procedures to deal effectively with emergency incidents, including:

- i) reporting an emergency to the relevant emergency service
- ii) safe evacuation of customers
- iii) dealing with terrorist threats or incidents.

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

A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents in the vicinity.

There shall be a documented site specific smoking policy, as agreed with the Manchester City Council Environmental Health section, implemented at the premises and **a copy lodged with the Council's Licensing Unit, before the premises opens.**

There shall be a documented site specific queue and dispersal policy, as agreed with

the relevant responsible authorities, implemented at the premises and **a copy lodged with the Council's Licensing Unit, before the premises opens.**

We believe these conditions are proportionate and appropriate to prevent the problems described and to ensure that the licensing objectives are upheld.

In the event the application goes through to a hearing, I reserve the right to include additional information to support my application.

Recommendation: Approve with Conditions (Outlined Above)

Exhibit A01



Marked area is the footprint of Barton Arcade
(Image taken from the Council's GIS system)

Exhibit AO2



(Image taken from a Google search of Barton Arcade Sub-Basement)



(Image taken from a Google search of Barton Arcade Sub-Basement)

Exhibit AO4



View of Barton Square, where the main entrance/exit will be located. (Image taken from Google Street View)



View of Barton Square, where the main entrance/exit will be located. (Image taken from Google Street View)

Exhibit AO6

Photographs taken approximately 12:55 on 4 May 2019



Exhibit AO6

Photographs taken approximately 12:55 on 4 May 2019



Exhibit A07

Photograph's taken approximately 14:04 on 4 May 2019



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. 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 on to a hard drive system, any DVD's subsequently produced shall 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 carried out by the DPS on an event by event basis. When employed, door staff shall wear high-visibility armbands. 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"> a) the number of door staff on duty; b) the identity of each member of door staff; c) the times the door staff are on duty. 7. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area. 8. A refusals book shall be maintained at the premises, and made available to an officer of a responsible authority upon request. 9. Staff shall be trained in the law relating to underage sales and the operation of the conditions attached to this licence and that training shall be documented and repeated at 6 monthly intervals. 10. A Dispersal Policy and Smoking Policy shall be implemented and adhered to. 11. A first aid box shall be available at the premises at all times. 12. Regular safety checks shall be carried out by staff. 13. Management shall liaise with the Fire authority as necessary to ensure compliance with all necessary fire regulations. 14. The premises shall maintain an Incident Log and Public Liability Insurance. 15. Noise from affiliated music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises. 16. No noise shall emanate from the premises nor vibration to be transmitted through the structure of the premises which gives rise to a nuisance. 	N/A	Applicant

Schedule of Licence Conditions

<p>17. Notices shall be positioned at the exits to the building requesting customers to leave in a quiet manner.</p> <p>18. The emptying of bins into skips, and refuse collections, shall not take place between 11.00pm and 8.00am.</p> <p>19. A 'Challenge 21' Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only acceptable forms of identification shall be photographic driving licences, passports, GM Forces warrant cards, or a form of identification with the 'PASS' hologram.</p> <p>20. Staff training shall include the Challenge 21 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training 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>21. Notices advising what forms of ID are acceptable shall be displayed.</p> <p>22. Notices shall be displayed in prominent positions indicating that the 'Challenge 21' Policy is in force.</p>		
Conditions proposed by objectors	Agreed	Proposed by
<p>23. A risk assessment shall be prepared for all events at the premises. For non-corporate/product launch events that are running after 2300 hours door staff shall be employed at the premises from 2200 hrs until close, at a ratio of 1 door supervisor to 100 customers, with a minimum of 2 door supervisors on duty. A door supervisor deployment plan shall be written and door staff shall be deployed where risk assessed to ensure sufficient members of the SIA door team are placed at areas within the premises requiring additional supervisor. The Premises Licence Holder shall deploy at least 1 door supervisor per 100 people in the queue to enter the premises.</p> <p>24. At least one member of door staff at the entrance to the premises shall wear and use a body camera to record all incidents of disorder and all ejections. All door staff shall wear hi-vis jackets/vests whilst on duty.</p>	No	GMP
<p>25. The DPS shall be on duty on the premises at all times when the premises are holding large capacity events.</p> <p>26. The DPS shall ensure that up to date contact information is provided to the Councils Licensing Unit and Greater Manchester Police.</p> <p>27. There shall be a Personal Licence holder on duty on the premises</p>	No	Licensing and Out of Hours

Schedule of Licence Conditions

<p>at all times when the premises are authorised to sell alcohol.</p> <p>28. Staff training shall include procedures to deal effectively with emergency incidents, including:</p> <ul style="list-style-type: none"> i. reporting an emergency to the relevant emergency service; ii. safe evacuation of customers; iii. dealing with terrorist threats or incidents. <p>29. Training shall be documented and records shall be made available for inspection upon request by a Police Officer or Authorised Officer of Manchester City Council.</p> <p>30. A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents in the vicinity.</p> <p>31. There shall be a documented, site-specific, Smoking Policy (as agreed with the Manchester City Council Environmental Health section) implemented at the premises and a copy lodged with the Councils Licensing Unit <u>before the premises opens.</u></p> <p>32. There shall be a documented, site-specific, Queue and Dispersal Policy (as agreed with the relevant Responsible Authorities) implemented at the premises and a copy lodged with the Councils Licensing Unit <u>before the premises opens.</u></p>		
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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 17 February 2020

Subject: Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, M14 6NW -
Application ref: Premises Licence (new) 242305

Report of: Director of Planning, Building Control and Licensing

Summary

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

Recommendation

That the Panel determine the application.

Wards Affected: Fallowfield

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
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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 23/12/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, Manchester, M14 6NW in the Fallowfield 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 Reds True Barbecue Limited.
- 2.3 The description of the premises given by the applicant is:
Reds BBQ dine in and takeaway.
- 2.4 The proposed designated premises supervisor is:
Aaron Mellor.

2.5 **The licensable activities applied for:**

Provision of regulated entertainment (films, recorded music):
Mon to Sun 11am to 5am

Provision of late night refreshment:
Mon to Sun 11pm to 5am

The supply of alcohol for consumption both on and off the premises:
Mon to Sun 11am to 5am

Opening hours:
Mon to Sun 11am to 5am

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

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

2.6 **Activities unsuitable for children**

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

2.7 **Steps to promote the licensing objectives**

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

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

2.8 **Further documentation accompanying the application**

2.8.1 The applicant has not submitted the any further documentation in support of the application.

3. **Relevant Representations**

3.1 A total of 19 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:

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

Other Persons:

- Ward Councillor x 2
- Director of Residential and Sport Services, University of Manchester
- Withington Civic Society
- Sherwood TRA
- Fallowfield and Withington Community Guardians
- South East Fallowfield Residents' Group

- Resident x 8

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Licensing Authority	<ul style="list-style-type: none"> • It is not clear from the application how this venue proposes to operate. • The lateness of the terminal hour gives rise to concern that there will be an increased risk of harm to the licensing objectives, particularly as customer are more likely to be intoxicated. • It is unclear whether any limitations will apply to: <ul style="list-style-type: none"> ○ use of the external area ○ deliveries ○ consumption on the premises • No detail is provided in respect of the 'dark kitchen' operation. • No detail is provided in relation to the regulated entertainment proposed. • Concerns are also raised regarding <ul style="list-style-type: none"> ○ the likelihood and ability of the premises to deal with intoxication ○ increased risk of conflict ○ security issues, and ○ capacity to cause litter. • The objection concludes that this application does not demonstrate a justifiable exception to the licensing policy. 	Refuse
GMP	<ul style="list-style-type: none"> • The premises is located on “one of the main arterial routes into and out of Manchester city centre”, very close to residential properties, with a large number of licensed premises, and one of the largest student populations in Europe. • The proposed finish time of 5am “will undoubtedly create noise disturbance and alcohol fuelled anti-social behaviour for a longer period” and will exacerbate existing problems in the area caused by: <ul style="list-style-type: none"> ○ begging ○ street drinking ○ littering ○ damage and anti-social behaviour from late night revellers • The applicant has not demonstrated how they will not add to the cumulative impact within the area. 	Refuse

Licensing and Out of Hours Compliance	<ul style="list-style-type: none"> • There are residential flats in the same row of buildings, and houses approximately 20m away. • Complaints from local residents repeatedly cite problems of noise, vandalism and antisocial behaviour from persons going out to and returning from licensed premises, preloading and drunkenness, and littering. • The applicant has failed to demonstrate why the late terminal hour in particular will not add to the issues already being experienced. • The representation concludes that the application should be refused on the grounds of not upholding the licensing objective in relation to public nuisance. 	Refuse
Trading Standards	<ul style="list-style-type: none"> • The application does not provide any detail on how the premise licence holder will ensure that the Challenge 25 age verification policy will be carried out by staff • Two conditions are proposed that Trading Standards want to see attached to the licence should it be granted. The proposed conditions cover: the keeping of a refusals log; and operation of the Challenge 25 policy. 	Grant with conditions
Councillor Chris Wills	<ul style="list-style-type: none"> • This representation supports the objection made by Fallowfield and Withington Community Guardians (details as below) 	Refuse
Councillor Jade Doswell	<ul style="list-style-type: none"> • The Councillor has received emails from individuals and groups which detail issues already experienced in the area including: <ul style="list-style-type: none"> ○ takeaway debris being left on the street, ○ broken bottles causing a hazard to pedestrians, ○ noise levels that consistently disrupt sleep. • Measures proposed by the applicant do not adequately demonstrate how the licensing objectives will be upheld. The premises will create an additional litter problem “above and beyond that which already exists” yet the application offers only “a vague commitment to clearing this up”, thus “undermining the considerable work being done in the area to tackle such problems”. • Other concerns raised are: <ul style="list-style-type: none"> ○ additional traffic is likely to come into the area during unsociable hours attracted by the late availability of alcohol. ○ The lack of measures proposed to combat off-sales of alcohol being consumed on the street, thereby increasing the likelihood of shouting, broken glass, litter, and public 	Refuse

	<p>urination/vomiting directly opposite a residential housing estate.</p> <ul style="list-style-type: none"> ○ the "Dark Kitchen" delivery service will bring more cars/motorbikes into the area, creating more noise pollution and sleep disruption ● The application lacks of safeguards in relation to increased noise, litter, late night sale of alcohol, and the late opening times. 	
Director of Residential and Sport Services, University of Manchester	<ul style="list-style-type: none"> ● The University works hard to encourage students to behave responsibly in the local community. The proposed premises would greatly undermine the work undertaken and would contribute to the problems that exist in the local area in relation to noise, litter and anti-social behaviour. ● The University is “working hard to resolve issues that surround the studentification agenda to promote better community relations”. A common complaint from local residents is of anti-social behaviour after students have attended venues. The work that the University has invested in this will be potentially damaged by this premises supplying alcohol for consumption on or off the premises until 5am, after people have left other venues. 	Refuse
Withington Civic Society	<ul style="list-style-type: none"> ● “To grant a licence would be completely contrary to the Special Policy and would inevitably lead to an increase in drunkenness, crime, noise, vandalism, litter and anti-social behaviour generally. It would also have an adverse impact on the local residential community.” ● “In our view, the entire application should be rejected, but particularly that part which relates to alcohol” 	Refuse
Sherwood TRA	<ul style="list-style-type: none"> ● Passing students create noise nuisance – “They're normally in groups shouting to each other, with other anti-social behaviour such as smashing glass bottles, public urination and littering of used alcohol/takeaway containers” – and sleep disturbance. ● The area has a reputation as 'Party Central' – students could “fall into the trap of using alcohol as a maladaptive coping strategy which then may go on to cause lifelong problems.” ● There has been “a rise in pre-drinks gatherings prior to going out as late as midnight”, waking residents both on the way out and the way back. ● Granting this application will “encourage students leaving late night bars already under the influence of drinking too much alcohol to buy more alcohol 	Refuse

	<p>for either impromptu or planned late night parties at their shared homes”. Some streets have few long term residents; students also complain about other students. Parties also cause nuisance for residents at a distance.</p> <ul style="list-style-type: none"> • Granting this application will only add to the “cumulative impact of the anti-social behaviour we are already suffering”, • There are residential premises very nearby. • Delivery services of hot food will cause a further increase in noise nuisance from cars/scooters /motor bikes. 	
<p>Fallowfield and Withington Community Guardians</p>	<ul style="list-style-type: none"> • Residents in this group “are regularly affected by noise and anti-social behaviour from patrons of late night premises” in the area leading to “sleep loss, stress and anxiety and criminal damage to property, cars and a degraded neighbourhood”. The addition of a further premises will add to existing problems in this residential area, in which further residential premises being built. • The area has become a “destination venue”, for students. This “has seriously undermined the quality of life for long term residents who suffer from regular night noise and nuisance from transient residents during term time”. Sleep disturbance is a particular problem • The proposed premises will allow people to “purchase late night alcohol on their way to or from a venue thus adding to litter, on street drinking and associated noise, anti-social behaviour and possible criminal damage”. Other issues referred to are: <ul style="list-style-type: none"> ○ Street noise from passers-by throughout the night until the early hours. ○ Broken glass from smashed bottles, particularly hazardous for children and runners ○ Bus shelters littered by glass, vomit and takeaway wrappers. ○ Vandalism - tree vandalism, car vandalism, tipping over of bins, screaming, shouting, dropping of litter, smashing of glass bottles. ○ Noise from delivery vehicles. • The opening of another late night licence will increase the above problems as evidenced by a local premises that has recently started selling coffee after 11pm with a resulting increase in litter. • The representation concludes: “We want to live in a sustainable community which encourages residents to stay” – to add another late night venue 	<p>Refuse</p>

	will seriously undermine the licensing objectives.	
South East Fallowfield Residents' Group	<ul style="list-style-type: none"> • At every SEFRG meeting, residents report “problems of noise (and sleep deprivation) usually caused by the huge numbers of (often drunk) people on the streets throughout the night going to and from the licensed premises”. This proposed premises will likely: <ul style="list-style-type: none"> ○ attract a lot of customers who will buy drink on their way home after a night out ○ increase on-street drinking coupled with anti-social behaviour ○ increase the problem of very large house parties ○ add to the “constant stream of foot traffic”, often in large groups. • Residents on all streets in the area suffer from sleep disturbance - a health issue - and “are already regularly woken up by the slamming of uber car doors all through the night”. Food deliveries late at night will add further noise, such as door bells or loud door knocking. • Other problems that residents report are: “takeaway litter strewn all over the streets, hazardous broken glass from smashed alcohol bottles and drunken people publicly urinating on the streets and in their gardens. People walking their children to school in the morning often have to negotiate vomit, broken glass and debris from the night before”. A further premises will add to these problems. • Residents would “love to be able to create a sustainable, balanced and harmonious community once again” in the area. The “scale of the problems in this particular area mean that this community will completely die out unless the licensing objectives are upheld.” 	Refuse
Resident	<ul style="list-style-type: none"> • This family, with children, comments that “In recent years we have been grateful for the actions of the council, the police and the university in acknowledging and tackling the issues of antisocial behaviour created by drink fuelled student nights and huge parties in and around HMOs” • The 5am finish time is not appropriate near to a residential area • The premises would be likely to undermine “all the hard work by the council residents the police and the university” and would lead to “all the issues around ASB that have plagued this area in the past. This includes mass partying in streets and houses as well as on street drinking at all hours of 	Refuse

	the day and night, in addition to littering, public urination and nuisance.	
Resident	<ul style="list-style-type: none"> • The proposed premises “is the sort of potentially anti-social impact creating premise that the council and local residents have worked so hard to prevent in recent years”. • The objector’s main concern “is that this will inevitably create more street noise, later drinking and anti-social behaviour in the area”, currently experienced as follows: <ul style="list-style-type: none"> ○ disturbances as drinkers return on foot into the early hours, resulting in in regular crime and disorder problems” ○ street noise and litter as people wander the streets shouting, running into gardens, vandalising trees, turning over wheelie bins • Alcohol and food take-out “invites customers to continue drinking on the way home in the street or start a very late party when they get home”. • This application will reverse the work of the council and local residents who have worked hard to achieve “a noticeable improvement in the quality of life” in this residential area. 	Refuse
Resident	<ul style="list-style-type: none"> • The proposed hours and licensable activities are completely unacceptable. This resident already suffers “from unruly groups passing the house in the early hours”. Granting this application will lead to: <ul style="list-style-type: none"> ○ Noise from delivery cars and scooters congregating around the premises in the early hours. ○ Noise from delivery drivers coming and going and door knocking in the early hours. ○ Noise and smells from the kitchen extractors. ○ Increase littering ○ Antisocial behaviour as the dark kitchen will act as a late night / early morning meeting point for vulnerable students making them an easy target for robbery and attack. 	Refuse
Resident	<ul style="list-style-type: none"> • The proposed opening hours lead to concerns about increased crime and disorder, with the potential for increased personal safety incidents and burglaries. The area has “muggings of students taking place in the early evening” and could increase “risk not only for students but also those residents who have to leave for work at the very start of the day”. • The premises will increase noise nuisance caused by “students coming back from pubs and clubs in 	Refuse

	<p>the early hours of the morning” and will add to “the lack of sleep we currently experience on occasions”.</p> <ul style="list-style-type: none"> • Food litter “from yet another takeaway outlet in this area will greatly increase the amount of rubbish I regularly collect from my almost daily litter picks. Not to mention broken glass”. • If the premises proposes to operate a food and alcohol delivery service, the deliveries will lead to further noise disturbance. 	
Resident	<ul style="list-style-type: none"> • This resident lives near to the premises and considers that “when the local bars close there is a very real danger that large numbers of already inebriated people will descend on this premises with a view to purchasing more alcohol and, as many of them will still be in a ‘party mood’, it is likely that the area outside the premises will become an area where noisy, inebriated persons gather to drink alcohol, with people spilling out onto the busy thoroughfare of Wilmslow Road, putting themselves and others at risk. • This will “create added noise disturbance which will obviously be extended beyond what is already being suffered on a regular basis by the local residents”. • The area “already suffers from begging, street drinking and other alcohol related anti-social behaviour”; the hours applied for “will undoubtedly exacerbate these problems”. 	Refuse
Resident	<ul style="list-style-type: none"> • This resident “already is impacted on a regular basis by noise, litter and antisocial behaviour in the early hours of the morning, mainly due to the effects of alcohol and the opportunity to purchase a wide array of takeaway food from local outlets.” • Nuisance is experienced from people passing by “often late at night or in the early hours of the morning, and more often than not having availed themselves of copious amounts of alcohol, which is clearly demonstrated by their loud, impactful and totally inconsiderate behaviour.” • Littering in the area includes “discarded food and broken bottles, dropped and smashed” • A further premises will add to the above. 	Refuse
Resident	<ul style="list-style-type: none"> • This resident comments: “We have a Cumulative Impact Policy covering our area which should protect us from such developments as this and therefore lessen the risk of our being constantly disturbed throughout the night. With less people wandering the streets there would be less danger 	Refuse

	of crimes being committed and the residents safety would be more secure.”	
Resident	<ul style="list-style-type: none"> • This resident comments that the special policy in force for this area “has been invaluable in preventing a further increase in the proliferation of 'night time economy' businesses in our local shopping centre. However, the pre-existing concentration of such premises means our lives continue to be blighted by night-time noise, anti-social behaviour and criminal damage.” • Regular “drunken noise” disturbances late at night and in the early hours are having a “continuing impact” on the family’s “sleep and health”. • The objector comments that “Such disturbances are routine and in our view the consequence of a night time economy exploiting the large numbers of young people who live in HMOs in our neighbourhood.” 	Refuse

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

3.4 No agreements on conditions have been reached.

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 5: Special Policy Area

The premises is located within the following special policy area:

Fallowfield and Wilmslow Road

The effect of the Special Policy is that the Council will refuse applications for a new Premises Licence or Club Premises Certificate, or variation of an existing licence or certificate, whenever it receives relevant representation, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced. In relation to variations, this includes any variation that seeks to add a licensable activity, increase the capacity/size of a licensed premises, or extend the hours for licensable activities, but will usually exclude minor variations.

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

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

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

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

to any relevant issues raised in any representation that may fall outside them.

- MS5 Prevent on-street consumption of alcohol
- MS8 Prevent noise nuisance from the premises
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse

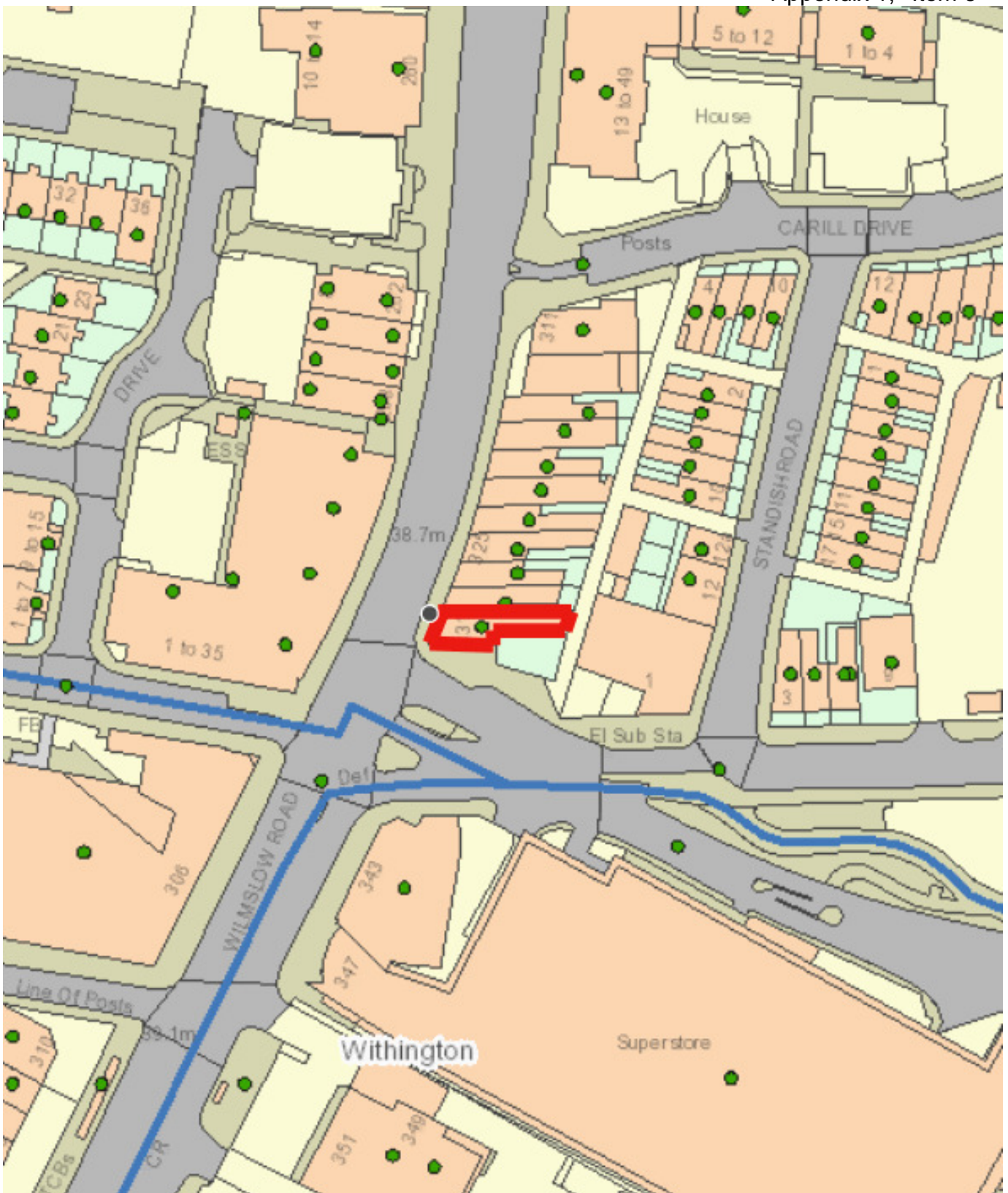
Section 9: Alcohol delivery services

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

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.**



Reds Takeaway & Dark Kitchen
331 Wilmslow Road, Manchester, M14 6NW

Premises Licensing
Manchester City Council

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PREMISE NAME:	Reds Takeaway & Dark Kitchen
PREMISE ADDRESS:	331 Wilmslow Road, Manchester, M14 6NW
WARD:	Fallowfield
HEARING DATE:	17/02/2020

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

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Manchester City Council

**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 Reds True Barbecue 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

Reds Takeaway & Dark Kitchen
331 Wilmslow Road

Post town	Manchester	Postcode	M14 6NW
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Telephone number at premises (if any)	
---------------------------------------	--

Non-domestic rateable value of premises	£13,750
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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 | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <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 please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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				
Nationality				
I am 18 years old or over				<input type="checkbox"/> Please tick yes
Current postal 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				
Nationality				
I am 18 years old or over				<input type="checkbox"/> Please tick yes
Current postal 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)				

(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 Reds True Barbecue Limited
Address 10 Weaver Street Leeds LS4 2AU
Registered number (where applicable) 11995370

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
A	S	P

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) Reds BBQ dine in and 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 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)

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

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

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

In all cases complete boxes K, L and M

A

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

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon	11:00	05:00		
Tue	11:00	05:00		
Wed	11:00	05:00		
Thur	11:00	05:00		
Fri	11:00	05:00		
Sat	11:00	05:00		
Sun	11:00	05:00		
			State any seasonal variations for the exhibition of films (please read guidance note 4)	
			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 5)	

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)			
Day	Start	Finish	State any seasonal variations for indoor sporting events (please read guidance note 4)			
Mon						
Tue						
Wed						
Thur						
Fri						
					Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)	

Sat			
Sun			

D

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

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details (please read guidance note 3)			
Mon						
Tue						

Wed		<p>State any seasonal variations for the performance of live music (please read guidance note 4)</p>	
Thur			
Fri			<p>Non standard times. 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 5)</p>
Sat			
Sun			

F

<p>Recorded music Standard days and timings (please read guidance note 6)</p>			<p>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)</p>	<p>Indoors <input type="checkbox"/></p> <p>Outdoors <input type="checkbox"/></p> <p>Both <input checked="" type="checkbox"/></p>	
Day	Start	Finish	<p>Please give further details here (please read guidance note 3)</p>		
Mon	11:00	05:00			
Tue	11:00	05:00			
Wed	11:00	05:00			<p>State any seasonal variations for the playing of recorded music (please read guidance note 4)</p>
Thur	11:00	05:00			
Fri	11:00	05:00			<p>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 5)</p>
Sat	11:00	05:00			
Sun	11:00	05:00			

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing			
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors <input type="checkbox"/>	
Mon					Outdoors <input type="checkbox"/>	
					Both <input type="checkbox"/>	
Tue			Please give further details here (please read guidance note 3)			
Wed						
Thur						
			State any seasonal variations for entertainment of a similar description to			

			that falling within (e), (f) or (g) (please read guidance note 4)
Fri			
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within e), (f) or (g) at different times to those listed in the column on the left please list (please read guidance note 5)
Sun			

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon	23:00	05:00		
Tue	23:00	05:00		
Wed	23:00	05:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Thur	23:00	05:00		
Fri	23:00	05:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left please list (please read guidance note 5)	
Sat	23:00	05:00		
Sun	23:00	05:00		

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	11:00	05:00	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	<input checked="" type="checkbox"/>
Tue	11:00	05:00			
Wed	11:00	05:00			
Thur	11:00	05:00	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 5)		
Fri	11:00	05:00			
Sat	11:00	05:00			
Sun	11:00	05:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name	Aaron Mellor
Date of Birth	██████████
Address	██████████ ██████████ ██████████
Postcode	██████████
Personal licence number (if known)	520552
Issuing licensing authority (if known)	Oldham Council

K

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

N/A

L

Hours premises are open to the public
Standard days and timings (please read guidance note 6)

Day	Start	Finish
Mon	11:00	05:00
Tue	11:00	05:00
Wed	11:00	05:00
Thur	11:00	05:00
Fri	11:00	05:00
Sat	11:00	05:00
Sun	11:00	05:00

State any seasonal variations (please read guidance note 4)

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

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 9)

b) The prevention of crime and disorder

1. A suitable closed circuit Television (CCTV) system will be in operation at the premises at all times when it is being used for the provision of licensable activities and/or when members of the public are permitted to be on the premises. The CCTV system will record images to cover all areas of the premises to which the public have access (save for toilets), including any external areas of the premises such as car parks and beer gardens. The CCTV system will be capable of retaining images for a minimum of 31 days, will be of good quality and will contain the correct time and date stamp information. The CCTV system and images will be kept in a secure environment to which members of the public will not be permitted access. At least one member of staff will be on duty at the premises who is capable of operating the system and downloading images recorded by it. These images will be downloaded and provided, on request, to an officer of a responsible authority.

2. A Supervisor's Register will be maintained at the licensed premises, showing the names, addresses and up-to-date contact details for the DPS and all personal licence holders.

3. The premises licence holder and/or designated premises supervisor will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti-social behaviour, admissions refusals and ejections from the premises. The Incident Report Register will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported, the names and numbers of any police officers attending, the police incident and/or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident. The Incident Report Register will be retained for a period of twelve months and produced for inspection immediately on the request of an authorised officer.

4. Alcohol to accompany a take away food order can only be sold in sealed containers. Patrons are not permitted to remove drinks in open bottles or glasses from the premises.

5. At any time that the premises licence has effect the sale of alcohol for consumption on the premises will be ancillary to the service of table meals.

c) Public safety

6. The premises have a current Fire Risk Assessment.
7. Members of the public will be prevented from accessing hot food and drink preparation areas to prevent risk of scald or burns.
8. Adequate and appropriate First Aid equipment and materials will be available on the premises at all times.

d) The prevention of public nuisance

9. Except for access and egress, external doors shall remain closed during the performance of regulated entertainment and windows shall remain closed during the entire performance.
10. Loud speakers shall not be located in external areas of the premises or in entrance lobbies which open directly onto external areas.
11. Bottles will not be placed in any external receptacle between 23.00 hours and 07.00 hours so as to minimise noise disturbance to neighbouring properties.
12. The premises licence holder and/or designated premises supervisor will ensure that litter, including cigarette ends, arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter.

e) The protection of children from harm

13. The premises will operate a 'Challenge 25' policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports official Photographic Identity Cards issued by EU states bearing a hologram or ultraviolet feature, driving licences with a photograph, photographic military ID or proof of age cards bearing the 'PASS' mark hologram. The list of approved forms of ID may be amended or revised with the prior written agreement of Greater Manchester Police, The Licensing Authority or Trading Standards without the need to amend the licence conditions attaching to it. Signage advertising the 'Challenge 25' policy will be displayed in a prominent locations in the premises.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
-

[Applicable to all individual applicants, including those in a partnership which is not a limited


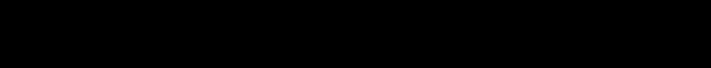
liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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

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

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11). **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	23 December 2019
Capacity	

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

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

[REDACTED]

Post town

[REDACTED]

Postcode

[REDACTED]

Telephone number (if any)

[REDACTED]

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

[REDACTED]

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

Document is Restricted

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LICENSING AUTHORITY

From: **Fraser Swift** <f.swift@manchester.gov.uk>

Date: Mon, 20 Jan 2020 at 21:07

Subject: Re: Premises Licence (new) application 242305/HH1: Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)

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

I am submitting this representation on behalf of the Licensing Authority, as a Responsible Authority, in relation to this application for the premises at 325 Wilmslow Road to vary the existing licence to permit the sale of alcohol at the premises and in respect of the proposed layout changes.

The Council has adopted a special policy in respect of cumulative impact and saturation for the area in which the premises is located. This is set out in Section 5 of the Council's Statement of Licensing Policy.

The policy applies to applications for the grant of a licence and it applies to all licensable activities (5.9 of the policy).

The applicant has put forward steps in their application as to how they intend to promote the licensing objectives. However, I cannot see that they have addressed the special policy to explain why the operation involved will not add to the cumulative impact already being experienced.

5.7 of the Policy states "*The effect of the special policy is that the Council will refuse applications for the grant of a licence, whenever it receives relevant representation, unless an applicant can demonstrate why the operation involved will not add to the cumulative impact already being experienced*".

Given the lateness of the existing terminal hour for licensable activities at the premises (0500), I do have concerns that having increased numbers of customers on the premises during those late hours, when customers are more likely to be intoxicated, increases the risk of harm to the licensing objectives.

Section 7.17 (imity of takeaways and off-licences to nightlife entertainment areas) of the Council's Policy states:

"Such premises typically lack the type of design and management provisions necessary to process the custom of a large intoxicated late-night customer base, and may act as flashpoints for alcohol-related crime and disorder. Additionally, there is a risk of staff being subjected to threatening behaviour, physical violence, and property damage. Operators are encouraged to consider conflict management training and/or employment of door supervisors, where appropriate. However, where the authority's discretion is engaged,

consideration may be given to restricting hours of operation to avoid the risk of such premises acting as flashpoints for crime and disorder.”

The application also does not demonstrate that it has taken into account the standards expected of licensed premises, as set out in Section 8 of the Council's Licensing Policy (Manchester's standards to promote the licensing objectives)

I am familiar with Reds as a BBQ restaurant but it is not clear from the application how this venue proposes to operate. The lateness of the terminal hours give rise to concern and it is unclear whether any limitations will apply to use of the external area, deliveries, consumption on the premises; and no detail is provided in respect of the 'dark kitchen' operation or in relation to the regulated entertainment provided in spite of the application form providing appropriate sections for relevant details to be provided. My understanding of a dark kitchen is as a remote kitchen that serves the home delivery market. However, no detail is provided in the application on its operation so I am basing this assumption on the business name given. I find it surprising that there is so little openness and transparency regarding the proposed business and so must presume that it is intended to present such information at the Sub-Committee hearing.

Given it seeks to operate in the council's only cumulative impact area; the steps proposed to promote the licensing objectives do not adequately the concerns I have in respect of this application being granted, particularly in relation to the lateness of the hours; the likelihood and ability of the premises to deal with intoxication, increased risk of conflict, security issues, and capacity to cause litter.

Therefore, for all of the reasons above, I do not consider that this application demonstrates a justifiable exception to the licensing policy.

Fraser Swift

Principal Licensing Officer

Planning, Building Control and Licensing

Growth and Development

Tel: 0161 234 1176

Internal: 800 31176

████████████████████

Email: f.swift@manchester.gov.uk

GREATER MANCHESTER POLICE

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 242305
Name of the Premises	Reds Takeaway & Dark Kitchen
Address of the premises including postcode	331 Wilmslow Road, Manchester M14 6NW

Your Representation
<p>Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the licence on the licensing objectives on and in the vicinity of the premises in question.</p> <p>Please accept this as formal notification of the Greater Manchester Police objection to the hours requested for a variation to the premises licence in relation to the above premises.</p> <p>The grounds for the objection are the Prevention of Crime and Disorder and the Prevention of Public Nuisance.</p>

The premises are situated on Wilmslow Road, Fallowfield which is one of the main arterial routes into and out of Manchester City centre.

It is in very close proximity to residential properties and is also in an area where there are a large number of bars, public houses, off licenses, late night refreshment outlets and one of the largest student populations in Europe.

Specifically the application is seeking to allow the sale of alcohol, late night refreshment and regulated entertainment until 0500hrs 7 days a week.

This will undoubtedly create noise disturbance and alcohol fuelled anti-social behaviour for a longer period, which will obviously add to what is already being suffered by the local residents.

The Wilmslow Road corridor already suffers from begging, street drinking and other anti social behaviour and to allow the premises to extend their hours each night is likely to exacerbate these problems and undermine the hard work of the local Neighbourhood Policing Team.

The littering, damage and anti social behaviour caused by late night revellers is something which the local residents have had to endure for far too long and their quality of life needs to be made the priority in all licence applications in this area.

The area where the premises are situated is subject to a Cumulative Impact Policy, which was introduced at the end of January 2013, due to the problems in the area with night time economy related incidents.

There is therefore a presumption of refusal for all applications in this area and GMP can see no reason to depart from this policy in this instance. The applicant has not demonstrated how they will not add to the cumulative impact within the area.

If the applicant were to amend the application to something more like a restaurant with alcohol ancillary to the purchase of a meal, with significantly reduces hours and no regulated entertainment then GMP would be more inclined to allow the application.

Greater Manchester Police would therefore ask that the application be refused.

LICENSING AND OUT OF HOURS TEAM



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

Name	Sion Roberts
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	s.roberts3@manchester.gov.uk
Telephone Number	0161 234 1781

Premise Details

Application Ref No	REF 242305
Name of Premises	Reds Takeaway & Dark Kitchen
Address	331 Wilmslow Road, Manchester, M14 6NW

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.

Licensing & Out of Hours Compliance Team (LOOHT) as the responsible authority 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 the proximity to residential accommodation, the hours applied for, and any potential risk that the grant of this application could lead to issues of public nuisance.

The General description of premises as given by the applicant:

Reds BBQ dine in and takeaway

Proposed hours and licensable activities:

Provision of regulated entertainment (films, recorded music):

Mon to Sun 11am to 5am

Provision of late night refreshment:

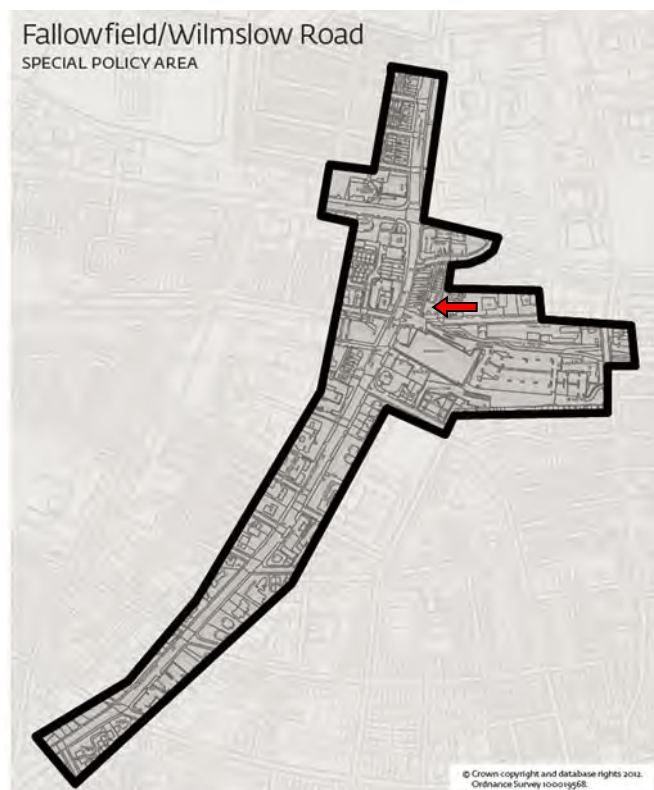
Mon to Sun 11pm to 5am

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

Mon to Sun 11am to 5am

Opening hours:

Mon to Sun 11am to 5am



The proposed application location (identified by red arrow) is located within the boundary Of the Fallow Field/Wilmslow Road Special Policy Area. A thriving student area. The proposed premises is end plot including outside area on a terrace block of mixed use premises, including a Bar/restaurant, restaurant/takeaways and hairdressers/barber shops. With residential flats above several of these existing premises and traditional terraces approximately 20 metres to the rear of the premises.

Manchester Council has received satisfactory evidence (considered by the Licensing Policy Committee at its meeting on 21 January 2013 and Council on 30 January 2013) that the cumulative impact of licensed premises in the geographical area identified on the map in Appendix 7 (shown above) is undermining the promotion of the licensing objectives in relation to crime and

disorder and public nuisance.

The cumulative impact and saturation policy states:

The complaints about antisocial behaviour from local residents, received both prior to and in response to the policy consultation, repeatedly cite problems of noise, vandalism and antisocial behaviour from persons going out to and returning from licensed premises, including complaints of preloading and drunkenness. Additionally, there was evidence of litter caused as a result, including discarded alcohol containers and takeaway wrappers in the street. Extra street cleaning services are required in the local area as a result of the disproportionate levels of litter, particularly caused by the high number of late-night takeaways in Fallowfield.

The applicant has put forward several steps in their application as to how they intend to promote the licensing objectives. However, they have failed to demonstrate why the operation involved particular the late terminal hour will not add to the cumulative impact already being experienced.

5.7 of the Policy states *“The effect of the special policy is that the Council will refuse applications for the grant of a licence, whenever it receives relevant representation, unless an applicant can demonstrate why the operation involved will not add to the cumulative impact already being experienced”*.

Therefore, for all of the reasons above, it is submitted that this application does not rebut the presumption that applications for variations of licences should be refused, as per 5.7 of the Council’s Licensing Policy.

As such LOOHT recommends that the application is refused on the grounds of being not upholding the licensing objectives in relation to public nuisance.

Recommendation: Refuse Application

TRADING STANDARDS

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

ABOUT YOU		PLEASE NOTE: LICENSING OFFICERS, LICENSING COMMITTEE MEMBERS AND THE APPLICANT CAN VIEW THE INFORMATION PROVIDED ON THIS FORM
Your first name (required)	Your last name (required)	
Helene	Corlett	
Your address including postcode (required)		
Trading Standards Service 1 Hammerstone Road Manchester M18 8EQ		
Contact email address	Contact phone no	
Helene.corlett@manchester.gov.uk	0161 234 1556	
Your signature (I hereby declare the information I have provided on and with this form is correct to the best of my knowledge and belief)		

ABOUT THE PREMISES
Application Ref No. (if known):
Name of the Premises about which you would like to make a representation:
Reds Takeaway and Dark Kitchen
Address of the Premises (including postcode if known):
331 Wilmslow Road Manchester M14 6NW

YOUR REPRESENTATION
Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)
Trading Standards are of the opinion that the application does not provide any detail on how the premise licence holder will ensure that the Challenge 25 age verification policy will be carried out by staff and thereby promoting the licensing objective of the protection of children from harm.

Therefore we would like the following conditions attached to the licence should it be granted:

1. A log shall be kept at the premises in either electronic or paper format, to record all refusals to sell alcohol. The log shall record the date and time of the refusal; the reason for the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log will be checked regularly by the designated premise supervisor to ensure it is being used by staff and each check shall be recorded in the log.
2. The Premise Licence Holder will ensure that before being permitted to sell and serve alcohol, all staff are trained to prevent underage sales and proxy purchases; in the operation of the Challenge 25 policy and how to record refusals in the refusals log. The training will be a documented training programme and will be refreshed at 6 monthly intervals. Training records will be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.

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

CLLR 1

From: Councillor Chris Wills <cllr.c.wills@manchester.gov.uk>

Date: Mon, 20 Jan 2020 at 07:57

Subject: Re: Premises Licence (new) 242305/HH1: Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)

To: [REDACTED]

Cc: Premises Licensing <premises.licensing@manchester.gov.uk>, Caroline Sharkey <caroline.sharkey@manchester.gov.uk>, Fraser Swift <f.swift@manchester.gov.uk>, Alan Isherwood <Alan.Isherwood@gmp.police.uk>

Thanks [REDACTED] copying me in to this email. Although the premises sits in Fallowfield ward, there would be potential impact for residents in Withington ward. I support [REDACTED] objection.

Best wishes.

Chris

Councillor Chris Wills
Labour and Co-operative Member, Withington Ward
Lead Member for LGBT+ Men
Tel: 07970 395030

On Sun, 19 Jan 2020, 20:03 Fallowfield Community Guardians, [REDACTED] wrote:

Dear Sirs

I write on behalf of Fallowfield & Withington Community Guardians. We wish to strongly object to the application for a new licence at Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, Manchester, M14 6NW to obtain a licence for hot food, alcohol and regulated entertainment from 11am to 5am every day of the week. This address falls within the MCC Cumulative Impact Policy Zone which was established in January 2013 and was recently renewed. This is the only CIP to exist in Manchester and is therefore indicative of significant issues of noise and anti social behaviour which are strongly linked to consumption of alcohol.

Residents in our group are regularly affected by noise and anti social behaviour from patrons of late night premises in the Fallowfield District Centre which include drinking establishments, off licenses and take away premises. These issues cause much sleep loss, stress and anxiety and criminal damage to property, cars and a degraded neighbourhood. The addition of another premises open until 5am will add to the cumulative impact in this area. There are no measures that can be put into place that will not cause this to add to the noise and nuisance caused by the late night opening.

Fallowfield District Centre has become a destination venue, particularly for University students who reside for parts of the year in very large numbers both in University halls of residence (housing over 3000 students on Owen's Park campus right near the centre of Fallowfield DC). There are also many hundreds of students living in HMOs and flats in residential streets in our neighbourhood. This has seriously undermined the quality of life for long term residents who suffer from regular night noise and nuisance from transient residents during term time. Many students see this area as a student village and are not very

aware of families, elderly or working residents. We note that Reds BBQ have most of their branches in areas where students live in large concentrations (eg Headingley, Leeds). We note that Reds BBQ in Manchester city centre is not open after 11pm so we question why it should be different in Fallowfield.

The licensing objectives including crime and disorder, public nuisance and public safety will be undermined by the addition of another licensed premises. The location of 331 Wilmslow Road is very close to all the late night student venues including Cubo, 256, Revolution, The Bar & Squirrels. As most patrons live within walking distance of these venues, many would have the opportunity to purchase late night alcohol on their way to or from a venue thus adding to litter, on street drinking and associated noise, anti social behaviour and possible criminal damage. These are known problems which led to the establishment of the Cumulative Impact Policy seven years ago. The issues relating to consumption of alcohol have been reported for more than ten years by suffering residents. Street noise at night is a particularly big issue and has been for years. As persons walk to the district centre, they wake us up if we go to bed before 11pm. We get woken again as they return home. This can be anything from midnight to 5am. If there are house parties it can be any time during the night. Broken glass from smashed bottles is an issue which affects public safety. Regular complaints are made by residents about broken glass affecting their daily life such as walking kids to school, leisure runs, waiting in bus shelters littered by glass, vomit and takeaway wrappers.

Additional impacts on residents include tree vandalism, car vandalism, tipping over of bins, screaming, shouting, dropping of litter, smashing of glass bottles. The opening of another late night licence will increase these problems whatever efforts are made to try and minimise any impact. A recent variation of a licence at Shell garage to allow coffee to be sold after 11pm has led to an increase in Costa coffee cup litter on local streets. The effects of more late night food with delivery vehicles will increase noise (through increased energy of tired patrons and deliveries) and thus increase public nuisance. The late night sale of alcohol will add fuel to passing customers. If this licence is allowed, alcohol could also be taken back to houses where parties sometimes continue throughout the night. Other local off licences close at 11pm (Sainsbury's), midnight (Fallowfield Convenience) and NZ Wines(2am). An additional off licence until 5am could draw additional footfall from further afield. The availability of alcohol is known to create problems in communities; another outlet in the early hours will add to the night disturbances which are regularly reported to MCC Licensing Out of Hours by residents.

There are many residences in close proximity to the premises including a large new build of 30 flats opposite on the former Orange Grove site. Residents (including students) are entitled to sleep. Sleep deprivation is a major issue in this neighbourhood which affects many residents in our group and also students. We want to live in a sustainable community which encourages residents to stay. There are a few new families with babies and young children in this area and we would like them to stay for the longer term. To add another late night venue to the FDC will seriously undermine the licensing objectives and increase public nuisance and most likely increase crime and disorder and public safety.

For all these reasons we request that this application is rejected in full.

Yours

[Redacted signature block]

CLLR 2

From: **Councillor Jade Doswell** <cllr.jade.doswell@manchester.gov.uk>
Date: Mon, 20 Jan 2020 at 21:30
Subject: Premises Licence (new) 242305/HH1: Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)
To: Premises Licensing <premises.licensing@manchester.gov.uk>

Good Evening,

I am writing to to raise objections to the above licence application, as one of the elected members for Fallowfield Ward, where the licence is sought.

The starting point is the Cumulative Impact Policy in place on Wilmslow Road, Fallowfield and Withington.

Under the terms of this policy, paragraphs 4.4 - 4.5 of the Council's Statement of Licensing Policy (2013) note that:

"The Council will refuse applications for a new Premises Licence or club Premises Certificate, or variation of an existing licence or certificate, whenever it receives relevant representation, unless an applicant can demonstrate why the operation of the premises involved will not add to the

cumulative impact already being experienced.

4.5 In relation to variations, this includes any variation that seeks to add a licensable activity, increase the capacity/size of a licensed premises, or extend the hours for licensable activities, but will usually exclude minor variations."

I believe that the proposed application will contribute significantly to the cumulative impact suffered by local residents.

I have received emails from individuals, SEFRG (South East Fallowfield Resident Group) and Sherwood TRA, (the Residents Association that covers the residential estate opposite 331 Wilmslow Road).

These emails detail issues already arising from a local concentration of premises serving alcohol and takeaway food into the early hours of the morning. This includes takeaway debris being left on the street, broken bottles causing a hazard to pedestrians, and noise levels that consistently disrupt sleep.

I believe that the measures proposed by the Applicant do not adequately meet the licencing objectives, nor prove that it will not contribute to a negative cumulative impact in the area.

The proposals to ensure that the Supervisor will "ensure that litter, including cigarette ends arising from people using the premises is cleared away regularly" raise concerns that the premises will create an additional litter problem above and beyond that which already exists. A vague commitment to clearing this up (which should be the duty of all responsible business owners) does not reassure one that this is not going to cause further problems for the Residents in Fallowfield.

We are already working very hard as Local Councillors to combat waste disposal issues, with targeted advertising campaigns, new waste containers, and partnership with Manchester Student Homes and local Resident Associations in this area of the Ward. We would vigorously oppose any action taken that undermines this and contributes to the waste issues, whether from commercial or residential actors.

I am also concerned that the licence as applied for, would bring additional traffic into the area during unsociable hours.

Currently, alcohol is not easily available in this area after midnight. Permitting the sale of alcohol both on and off the premises until 5am would encourage and exacerbate the problems that arise from late-night alcohol consumption.

Whilst it is specified that alcohol will not be permitted off-site in open containers, there appears to be no measures proposed to combat the alcohol being consumed once off the premises, but still outside, on Wilmslow Road, increasing the likelihood of shouting, broken glass, litter, and public urination/vomiting directly opposite a residential housing estate.

The requirement for door staff suggests that such behaviour, that needs to be regulated and monitored, is likely to occur. I would also like reassurance that should the licence be granted in full or in part, that all door staff are SIA accredited.

Furthermore, the introduction of a "Dark Kitchen" delivery service will bring more cars and motorbikes into the area, creating more noise pollution and disruption to the sleep of nearby residents, including those in the Student Halls.

The Applicant's business has franchises in areas Student Cities, such as Leeds and Sheffield. Fallowfield has a huge student population, and the proposed Monday-Sunday 5am trading times appears to be targeted at that market.

Whilst I am hugely proud of the vibrancy our student population brings to Fallowfield, including new jobs from the night-time economy, I have to ensure that these interests are balanced with those of the longer term residents and families who live in the vicinity.

This is why I must stress that I am not against the opening of new licenced premises, but the lack of safeguards against increased noise, litter, the late night sale of alcohol, and the late opening times.

I would also like to refer the Panel to a previous application in Fallowfield, for Joel's Grill, Reference 220708.

An application to extend the licencing hours from 11pm to 1.30am was rejected in November 2018, on the basis of almost identical concerns raised in relation to this application for Reds Barbeque.

I therefore ask the Panel to take all of the above into account and reject the application in accordance with the Cumulative Impact Policy.

Kind Regards

Cllr Jade Doswell

Labour Member for Fallowfield Ward

Telephone +44 (0)7971 384 773

cllr.jade.doswell@manchester.gov.uk

Members' Services Office

Town Hall Extension,

PO Box 532, Manchester M60 2LA

RES 1

From: [REDACTED]

Date: Fri, 3 Jan 2020 at 16:09

Subject: Premises Licence (new) 242305/HH1: Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)

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

I wish to object to this planning application for food and alcohol consumption both on and off the premises until 5am. We have lived as a family with children in Fallowfield since 1995. In recent years we have been grateful for the actions of the council, the police and the university in acknowledging and tackling the issues of antisocial behaviour created by drink fuelled student nights and huge parties in and around HMOs. It is my opinion that the applicants for this licence to 5am wish to take advantage of the large numbers of young adults in this area who contribute to the night time economy. I would suggest that their 5am request is redirected to their city centre business as this is not appropriate in proximity to any residential area and particularly not one such as Fallowfield where all are working together to co-produce an inclusive tolerant and respectful area to live in for everyone. It would be a shame to see all the hard work by the council residents the police and the university to be set back by allowing such an inappropriate application to move forward , leading to all the issues around ASB that have plagued this area in the past. This includes mass partying in streets and houses as well as on street drinking at all hours of the day and night, in addition to littering , public urination and nuisance. The figures for reporting of such issues is well documented in this area of cumulative impact.

Kind regards
[REDACTED]

Sent from my iPhone

RES 2

From: [REDACTED]
Date: Fri, 3 Jan 2020 at 15:50
Subject: Premises Licence (new) 242305/HH1: Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>
Cc: [REDACTED]

Dear Premises licensing,

We are a family living in Fallowfield who wish to object to the new application for a hot food, regulated entertainment & alcohol licence at the premises on Wilmslow Rd near Sainsbury's which was formerly Randy's Hardcore Burgers.

As we are sure you are aware that this premise has never had a licence and can currently only sell hot food until 11pm.

We are very concerned that this application seeks to sell hot food and especially alcohol until 5 am every night of the week.

This is the sort of potentially anti-social impact creating premise that the council and local residents have worked so hard to prevent in recent years.

I would like to point out that this premise falls within a Cumulative Impact Policy area and the extended hours and alcohol are very likely to add too problems synonymous with Fallowfield.

Our main concern is that this will inevitably create more street noise, later drinking and anti-social behaviour in the area. We will notice the impact through disturbances as drinkers return on foot at later hours or indeed throughout the night and into the morning. This previously has resulted in regular crime and disorder problems, many of which have been reported and recorded. The most obvious is in street noise and litter as people wander the streets shouting, running into gardens, vandalising trees, turning over wheelie bins etc.

The nature of the license also seems to offer alcohol and food take-out which invites customers to continue drinking on the way home in the street or start a very late party when they get home.

These are real and actual problems that the council and local residents have worked successfully to reduce with a noticeable improvement in the quality of life for families and permanent residents as well as many students who wish to live peacefully in the community.

This application seeks to reverse the good work and increase the problems of late drinking and eating in the area.

We urge you to reject it as unsuitable for this residential area.

Thank you.

████████████████████

RES 3

From: [REDACTED]
Date: Sat, 4 Jan 2020 at 16:53
Subject: Licensing application 242395/HH1
To: <premises.licensing@manchester.gov.uk>

Dear Sir/Madam

Please find attached the comments of Withington Civic Society to the above application

Many thanks

[REDACTED] Withington Civic Society [REDACTED]

Comments of Withington Civic Society re the application listed below

Application Type: Premises Licence (new)

Reference: 242305/HH1

Premises: Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, Manchester, M14 6NW

Applicant: Reds True Barbeque Limited

General description of premises as given by the applicant:

- *Reds BBQ dine in and takeaway*

Proposed hours and licensable activities:

Provision of regulated entertainment (films, recorded music):

- *Mon to Sun 11am to 5am*

Provision of late night refreshment:

- *Mon to Sun 11pm to 5am*

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

- *Mon to Sun 11am to 5am*

Opening hours:

- *Mon to Sun 11am to 5am*

Withington Civic Society strongly opposes the application.

The premises fall squarely within the cumulative impact and saturation policy adopted by Manchester City Council in its Statement of Licensing Policy 2016 – 2021.

That policy refers specifically to noise, vandalism and anti social behaviour in the relevant area, including evidence of preloading and drunkenness.

This application seeks an alcohol licence every night of the week until 5 am.

To grant a licence would be completely contrary to the Special Policy and would inevitably lead to an increase in drunkenness, crime, noise, vandalism, litter and anti social behaviour generally. It would also have an adverse impact on the local residential community.

In our view, the entire application should be rejected, but particularly that part which relates to alcohol

██████████

Withington Civic Society ██████████

RES 4

From: [REDACTED]
 Date: Tue, 7 Jan 2020 at 11:47
 Subject: RE: Premises Licence (new) 242305/HH1: Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)
 To: fallowfieldmailinglist+managers@manchester.gov.uk,
fallowfieldmailinglist+managers@manchester.gov.uk [REDACTED]
 [REDACTED]

Dear Helen,

Ref: - Premises Licence variation 242305/HH1: Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)

I am writing as Head of Residential and Sport Services at the University of Manchester to express opposition to the proposed application for Reds BBQ dine in and takeaway with opening hours of 11am to 5am Monday to Sunday including the provision of regulated entertainment, late night refreshment and the supply of alcohol for consumption both on and off premises during those hours.

I hope this application will be refused on the grounds that this could create additional public nuisance in the area.

The supporting reasons for this objection are as follows:

There are a number of University of Manchester students living in Halls of Residence and private rented sector properties in immediate proximity to these premises. As an institution the University of Manchester works hard to encourage our students to behave responsibly in the local community. To provide students resident in Halls and in the private sector access to a premises that is open until 5am providing entertainment, late night refreshment and serving alcohol for consumption on and off the premises until 5am would greatly undermine the work undertaken to ensure responsible behaviour. I believe if an application was granted to allow these premises to be open until 5am with entertainment, late night refreshment and the sale of alcohol this would contribute to the problems that exist in the local area surrounding noise, litter and anti-social behaviour.

Secondly Fallowfield is in a special Cumulative Impact Policy zone owing to the problems associated with the consumption of alcohol. There are already numerous premises supplying alcohol in Fallowfield for consumption both on and off premises and I do not think that allowing this outlet to supply alcohol in Fallowfield for consumption on and off the premises until 5am is required or desirable.

Thirdly as an institution the University of Manchester is working hard to resolve issues that surround the studentification agenda to promote better community relations. An off campus student affairs manager works hard with other agencies to tackle these issues. A common complaint received from local residents is the problem of anti-social behaviour after students have attended venues. The work that the University has invested in this will be potentially damaged if another outlet within Fallowfield has the capacity to supply alcohol for consumption on or off the premises until 5am which would be after people have left venues.

In conclusion I would like to emphasise that I am opposed to the granting of this licence for this application for Reds BBQ dine in and takeaway with opening hours of 11am to 5am Monday to Sunday including the provision of regulated entertainment, late night refreshment and the supply of alcohol for consumption both on and off premises during those hours. I trust my views will be reported to the Licensing Committee.

Yours sincerely, [REDACTED]

[REDACTED] | Director of Residential and Sport Services | Directorate for the Student Experience
 | The University of Manchester | Fallowfield Campus | 293 Wilmslow Road | Manchester, M14 6HD |
 Tel + 44 (0)161 306 6119 | www.manchester.ac.uk

RES 5

From: [REDACTED]
Date: Thu, 9 Jan 2020 at 12:58
Subject: Premises Licence 242305/HH1
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>

Re: Premises Licence (new) 242305/HH1: Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)

To whom it may concern.

I am writing to object to the granting of a licence to Reds Takeaway & Dark Kitchen.

The proposed hours and licensable activities are completely unacceptable especially given that the applicant knows his premises will cause anti social behaviour problems as proven by his extensive list of "steps to promote licensing objectives "

In particular the reasons for this are as follows:

As a resident I already suffer from unruly groups passing the house in the early hours.

To this will be added:

Noise from delivery cars and scooters congregating around the premises in the early hours.

Noise from delivery drivers coming and going and door knocking in the early hours on normally quiet suburban streets.

Noise and smells from the kitchen extractors.

Litter. Fast food wrappings and waste food are already dropped on the streets in quantities sufficient to employ a full time litter picker. No more please.

Antisocial behaviour as the dark kitchen will act as a late night / early morning meeting point for vulnerable students making them an easy target for robbery and attack.

No case can be made for additional alcohol outlets with any hours of opening let alone all night. I believe all other similar requests have been refused as should this one.

All the above doubly so as the premises sit in an environmental impact area which is already supplied with an over abundance of these types of disruptive businesses.

I repeat, please refuse this application.

Kind Regards

[REDACTED]

RES 6

From: [REDACTED]
Date: Mon, 13 Jan 2020 at 20:59
Subject: Premises Licence (new 242305/HH1: Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, Manchester M14 6NW (Fallowfield ward)
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>

Dear Sir/Madam,

I write concerning the above application.

My first reaction to this application is that it is located in a Cumulative impact Policy area. We live in a neighbourhood which comprises 68%+ non-student residents. We are actually starting to attract young families back into the area again. If this sort of establishment is allowed to open it creates the totally wrong impression i.e. that Fallowfield is a 24-hour society that never goes to sleep. With the proposed opening hours of this establishment I also have concerns about increased crime and disorder, with the potential for increased personal safety incidents and burglaries in the area. We already have muggings of students taking place in the early evening. I feel there is a greater risk not only for students but also those residents who have to leave for work at the very start of the day.

Another point I would like to raise is the public nuisance issue. We already suffer from transient noise with students coming back from pubs and clubs in the early hours of the morning. The idea of there being food (whether dine in or take away) **and** alcohol on sale until 5.00 a.m. will shorten still further the lack of sleep we currently experience on occasions. Fallowfield District Centre does not need yet another late night venue selling alcohol.

Additionally the idea of yet more takeaway food litter from yet another takeaway outlet in this area will greatly increase the amount of rubbish I regularly collect from my almost daily litter picks. Not to mention broken glass.

Also are they proposing to sneak in on this application a 'Deliveroo' type food and alcohol delivery service? Again most deliveries appear to be made by car, again creating the potential for noise disturbance with the deliveries.

I understand their branch in Manchester is closed by 11.00 p.m. So presumably they are working on the fact that once their clientele make their way out of town back to Fallowfield, they will want yet more food and drink. I would have thought the opening times should be reversed and that the Manchester branch is the one to close at 5.00 a.m. And the Fallowfield operation close at 11.00 p.m. There is currently no licence to sell alcohol at 331 Wilmslow Road. I think that status should remain.

I very much hope this hot food, regulated entertainment and alcohol licence will be refused on the grounds given above.

[REDACTED]

RES 7

From: [REDACTED]
Date: Thu, 16 Jan 2020 at 14:48
Subject: Premises Licence (new) 242305/HH1: Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>

Your Ref: Premises Licence (new) 242305/HH1: Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)

To whom it may concern;

I am a long-term resident of [REDACTED] (since 1985) and I am objecting to the request for a license to sell hot food (dine in and take away) alcohol (also as off licence) & provision for “regulated entertainment” between the hours of 11am until 5am 7 x days a week by Reds Takeaway & Dark Kitchen (331 Wilmslow Road Fallowfield).

These premises (Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, Manchester, M14 6NW is) are situated on Wilmslow Road, Fallowfield, which is one of the main arterial routes into and out of Manchester City centre.

It is in close proximity to myself on [REDACTED] and local residential properties and is also in an area where there are several bars, public houses & off licenses and one of the largest student populations in Europe.

The operational hours (11am until 5am 7 x days a week) would mean that the premises would be open later and sell alcohol later than nearly all other licensed premises in the area and certainly later than all the other off licenses.

So, when the local bars close there is a very real danger that large numbers of already inebriated people will descend on this premises with a view to purchasing more alcohol and, as many of them will still be in a ‘party mood’, it is likely that the area outside the premises will become an area where noisy, inebriated persons gather to drink alcohol, with people spilling out onto the busy thoroughfare of Wilmslow Road, putting themselves and others at risk. Also, as the area is subject to a Designated Public Place Order, it is likely that this order will be breached far more regularly, creating more work for the local police officers.

This will create added noise disturbance which will obviously be extended beyond what is already being suffered on a regular basis by the local residents.

The Wilmslow Road corridor already suffers from begging, street drinking and other alcohol related anti-social behaviour and to allow the premises an operating window of 11am until 5am 7 x days a week will undoubtedly exacerbate these problems.

The Wilmslow Road area of Fallowfield has a Cumulative Impact Policy (What this means is that this area has been identified as one in which there is a concentration of licensed premises which is deemed

maximum for an area to contain and that the hours in which premises can open and supply alcohol are already at the earliest and latest times acceptable for the area) the application here in this operating window (11am until 5am 7 x days a week) is only going to add to problems of drunken street noise and nuisance.

Manchester City Council do not create Cumulative Impact Zones lightly and quite frankly, Wilmslow Road/"Brow" area of Fallowfield does not need yet another premises of this nature and most certainly in this operating window (11am until 5am 7 x days a week) which will become a magnet for persons leaving the other establishments in the area and causing further suffering to the local residents.

I would be very grateful if you could consider these points,

Yours sincerely,

██████████
██████████████████
██████████
██████████
██████████

RES 8

From: [REDACTED]

Date: Sun, 19 Jan 2020 at 23:52

Subject: Premises Licence (new)

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

Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005

Dear Sir

I am writing with regard to the licence application has been received for a premises in **Fallowfield** ward as follows:

Application Type: Premises Licence new

Reference: 242305/HH1:

Premises: Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)

I feel I must object to this application as a resident who already is impacted on a regular basis by noise, litter and antisocial behaviour in the early hours of the morning, mainly due to the effects of alcohol and the opportunity to purchase a wide array of takeaway food from local outlets.

I live on [REDACTED] which is a major thoroughfare for young people traversing in both directions between Withington Village and the Owens Park campus, often late at night or in the early hours of the morning, and more often than not having availed themselves of copious amounts of alcohol, which is clearly demonstrated by their loud, impactful and totally inconsiderate behaviour.

In the main this occurs at weekend, which is difficult enough to deal with, but an additional outlet in the vicinity selling food for take away and alcohol throughout the week, can only have a further detrimental effect on the residents of Wellington Road through noise, litter, lack of consideration for residents, and anti social behaviour generally.

Walking my [REDACTED] around the local neighbourhood is becoming an ever greater challenge as we pick our way through discarded food and broken bottles, dropped and smashed by people who find takeaway food and alcohol all too easy to acquire throughout Withington and Fallowfield, and equally easy to dispose of without a moment's thought for the consequences of their actions.

On that basis, I wish to object strongly to this application, which can only add to an already unacceptable situation.

Yours faithfully,

[REDACTED]

[REDACTED]

[REDACTED]

RES 9

From: **Sherwood TRA** [REDACTED]
 Date: Sun, 19 Jan 2020 at 19:11
 Subject: Re: Premises Licence (new) 242305/HH1: Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)
 To: Premises Licensing <premises.licensing@manchester.gov.uk>
 Cc: Cllr Jade Doswell <cldr.jade.doswell@manchester.gov.uk>, Councillor Ali Ilyas <cldr.ali.ilyas@manchester.gov.uk>, Cllr Zahra Alijah <cldr.z.aliyah@manchester.gov.uk>, Alan Isherwood <alan.isherwood@gmp.police.uk>

Dear Sir/Madam

I write on behalf of the residents of the Sherwood Estate consisting of Boland Drive, Selside Walk, Scargil Close & Redmere Grove. Some of our homes are less than 2 minutes walking distance from these premises and this application greatly concerns us.

We are horrified at the thought of alcohol being on sale for off sales until 5am every day of the year so close to our homes due to the almost nightly disturbance we suffer from due to the growing number of students using Sherwood Street (which borders one side of our estate) to access their shared homes.

Some of our residents who work leave home between 4 - 6am and suffer greatly from disturbed sleep due to street noise of passing students during the night who are usually always under the effect of consuming too much alcohol. They're normally in groups shouting to each other, with other anti-social behaviour such as smashing glass bottles, public urination and littering of used alcohol/takeaway containers.

We also have many school aged children living on Sherwood who are woken in the night and it is particularly bad for those children studying for their GCSEs/A Levels - just imagine how awful it must be to take important exams if constantly woken throughout the night? Why shouldn't our children have the aspiration of going on to University just like our temporary Fallowfield student residents?

Due to the vast amount of students choosing to live in Fallowfield because of its alleged notoriety as being 'Party Central' we are concerned that due to the proximity of so many alcohol outlets available to many young students (who may be living away from parental care for the first time) they can easily fall into the trap of using alcohol as a maladaptive coping strategy which then may go on to cause lifelong problems.

Over the past few years we have seen a rise in pre-drinks gatherings prior to going out as late as midnight which has in turn woken residents who are then disturbed again when they return any time 2am onwards.

Should this licence be granted then it will only encourage students leaving late night bars already under the influence of drinking too much alcohol to buy more alcohol for either impromptu or planned late night parties at their shared homes. Many of these student HMO's are on streets where there are few, if any, long term residents to complain to LOOH, although I understand there are now complaints from other students who are being disturbed by their peers. Sherwood residents regularly hear the distant sounds of parties but are unable to complain due to not knowing where they are.

Fallowfield District Centre has many late night bars/clubs and already has alcohol for off sales up to 2am only minutes walking distance away from these premises and FDC is also covered by a Cumulative Impact Policy, recently renewed, due to the impact of so many late night premises which disturb local residents due to the impact of large amounts of alcohol being consumed.

I understand that we are the only area to be covered by a CIP in Manchester which backs up residents' concerns.

Therefore to permit this licence application will only add to the cumulative impact of the anti-social behaviour we are already suffering from and there are no measures which can mitigate for this other than not to grant another licence for off sales of alcohol.

Our other concern is having regulated entertainment and food, both eat in and takeaway available until 5am each day for many of the reasons given above.

These premises are directly opposite the new development of flats at Sherwood House situated on the corner of Wilmslow Road/ Sherwood Street and which backs onto the Sherwood Estate. It is also very close to Mayfair Court which is a purpose built student complex bordering Sherwood St/Wilmslow Rd/Wynstay Grove.

We are extremely worried that these premises plan to run a 'Dark Kitchen' which operate delivery services of hot food etc.

<https://www.bbc.co.uk/news/business-47978759>

Over the past few years residents have noticed an increase of cars/scooters/motor bikes delivering food late at night which again disturbs our sleep by the sound of vehicle engines and doors opening/closing, so to discover premises so close to us in a residential area planning to offer this service is not something we wish to see in Fallowfield District Centre.

For all of the above reasons we respectfully ask that this licence application is refused in full.

Yours faithfully

██████████ Sherwood TRA, Boland Drive, Fallowfield, M14 6DS

RES 10

From: **Fallowfield Community Guardians** [REDACTED]
Date: Sun, 19 Jan 2020 at 20:03
Subject: Premises Licence (new) 242305/HH1: Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, Manchester, M14 6NW, (Fallowfield ward)
To: Premises Licensing <premises.licensing@manchester.gov.uk>
Cc: Caroline Sharkey <caroline.sharkey@manchester.gov.uk>, Fraser Swift <f.swift@manchester.gov.uk>, Alan Isherwood <Alan.Isherwood@gmp.police.uk>

Dear Sirs

I write on behalf of Fallowfield & Withington Community Guardians. We wish to strongly object to the application for a new licence at Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, Manchester, M14 6NW to obtain a licence for hot food, alcohol and regulated entertainment from 11am to 5am every day of the week. This address falls within the MCC Cumulative Impact Policy Zone which was established in January 2013 and was recently renewed. This is the only CIP to exist in Manchester and is therefore indicative of significant issues of noise and anti social behaviour which are strongly linked to consumption of alcohol.

Residents in our group are regularly affected by noise and anti social behaviour from patrons of late night premises in the Fallowfield District Centre which include drinking establishments, off licenses and take away premises. These issues cause much sleep loss, stress and anxiety and criminal damage to property, cars and a degraded neighbourhood. The addition of another premises open until 5am will add to the cumulative impact in this area. There are no measures that can be put into place that will not cause this to add to the noise and nuisance caused by the late night opening.

Fallowfield District Centre has become a destination venue, particularly for University students who reside for parts of the year in very large numbers both in University halls of residence (housing over 3000 students on Owen's Park campus right near the centre of Fallowfield DC). There are also many hundreds of students living in HMOs and flats in residential streets in our neighbourhood. This has seriously undermined the quality of life for long term residents who suffer from regular night noise and nuisance from transient residents during term time. Many students see this area as a student village and are not very aware of families, elderly or working residents. We note that Reds BBQ have most of their branches in areas where students live in large concentrations (eg Headingley, Leeds). We note that Reds BBQ in Manchester city centre is not open after 11pm so we question why it should be different in Fallowfield.

The licensing objectives including crime and disorder, public nuisance and public safety will be undermined by the addition of another licensed premises. The location of 331 Wilmslow Road is very close to all the late night student venues including Cubo, 256, Revolution, The

Bar & Squirrels. As most patrons live within walking distance of these venues, many would have the opportunity to purchase late night alcohol on their way to or from a venue thus adding to litter, on street drinking and associated noise, anti social behaviour and possible criminal damage. These are known problems which led to the establishment of the Cumulative Impact Policy seven years ago. The issues relating to consumption of alcohol have been reported for more than ten years by suffering residents. Street noise at night is a particularly big issue and has been for years. As persons walk to the district centre, they wake us up if we go to bed before 11pm. We get woken again as they return home. This can be anything from midnight to 5am. If there are house parties it can be any time during the night. Broken glass from smashed bottles is an issue which affects public safety. Regular complaints are made by residents about broken glass affecting their daily life such as walking kids to school, leisure runs, waiting in bus shelters littered by glass, vomit and takeaway wrappers.

Additional impacts on residents include tree vandalism, car vandalism, tipping over of bins, screaming, shouting, dropping of litter, smashing of glass bottles. The opening of another late night licence will increase these problems whatever efforts are made to try and minimise any impact. A recent variation of a licence at Shell garage to allow coffee to be sold after 11pm has led to an increase in Costa coffee cup litter on local streets. The effects of more late night food with delivery vehicles will increase noise (through increased energy of tired patrons and deliveries) and thus increase public nuisance. The late night sale of alcohol will add fuel to passing customers. If this licence is allowed, alcohol could also be taken back to houses where parties sometimes continue throughout the night. Other local off licences close at 11pm (Sainsbury's), midnight (Fallowfield Convenience) and NZ Wines(2am). An additional off licence until 5am could draw additional footfall from further afield. The availability of alcohol is known to create problems in communities; another outlet in the early hours will add to the night disturbances which are regularly reported to MCC Licensing Out of Hours by residents.

There are many residences in close proximity to the premises including a large new build of 30 flats opposite on the former Orange Grove site. Residents (including students) are entitled to sleep. Sleep deprivation is a major issue in this neighbourhood which affects many residents in our group and also students. We want to live in a sustainable community which encourages residents to stay. There are a few new families with babies and young children in this area and we would like them to stay for the longer term. To add another late night venue to the FDC will seriously undermine the licensing objectives and increase public nuisance and most likely increase crime and disorder and public safety.

For all these reasons we request that this application is rejected in full.

Yours

██████████

Community Guardian Coordinator

Fallowfield & Withington

RES 11

From: [REDACTED]
 Date: Mon, 20 Jan 2020 at 20:17
 Subject: Fwd: Premises Licence (new) 242305/HH1: Reds Takeaway and Dark Kitchen, 331 Wilmslow Road, Manchester M14 6NW
 To: Premises Licensing <premises.licensing@manchester.gov.uk>
 Cc: <cldr.jade.doswell@manchester.gov.uk>, <cldr.ali.ilyas@manchester.gov.uk>, <cldr.z.alijah@manchester.gov.uk>, <alan.isherwood@gmp.police.uk>, Councillor Rebecca Moore <cldr.r.moore@manchester.gov.uk>, Chris Wills <Cldr.c.wills@manchester.gov.uk>, Becky Chambers <cldr.becky.chambers@manchester.gov.uk>

Dear Sir/Madam,

Reds Takeaway and Dark Kitchen, 331 Wilmslow Road, Fallowfield, Manchester M14 6NW

I am writing on behalf of SEFRG (South East Fallowfield Residents' Group) to object in the strongest terms to this application for a new licence at the above premises for hot food, alcohol and regulated entertainment every day of the week from 11am until 5am i.e.18 hours per day (126 hours a week)

Fallowfield was designated a Cumulative Impact Policy (CIP) area in 2013, the reason for the CIP status was due to the large density of licensed premises in this area and the fact that local residents experience disproportionate levels of crime and a range of anti social behaviour issues, most of which stem from the late night economy. Fallowfield is the only CIP in Manchester and I think this, in itself, illustrates how serious the problems in this area are.

At every SEFRG meeting I have chaired, or attended, people have mentioned the problems of noise (and sleep deprivation) usually caused by the huge numbers of (often drunk) people on the streets throughout the night going to and from the licensed premises. Adding another all night licensed premises in the heart of Fallowfield will certainly add to the problems we experience and there are no measures which could be put in place to stop the extra harm that this will cause. We also note that this premises would like to sell alcohol both on and off the premises. The premises is located on a corner (next to Sainsburys) in a very prominent location and amidst all the local restaurants and bars and it is quite obvious that if this licence is granted, it will attract a lot of customers who will buy drink on their way home after a night out (after Sainsburys has closed). We regularly witness on-street drinking coupled with anti social behaviour and again this will only add to the problems. In addition the ability to buy alcohol until 5am is likely to fuel very large house parties which cause misery, not just to immediate neighbours, but also for residents on the surrounding streets because of the constant stream of foot traffic.

On one random night last year, we counted the number of people passing our house between about 12 midnight and 7am and there were between 350 and 400, as well as numerous taxis - the busiest time was between 2 and 4am. We did this simply to illustrate to people who do not live in this area the numbers we are talking about. Most of these people do not pass quietly and residents, including children, are often woken up. I would like to add that we live on a residential street, not a main road, and that the problems we experience are echoed all around Fallowfield - some streets are much worse than ours and some may be marginally

better but the fact remains that this is a huge issue for us. Professor Matthew Walker, a leading neuro scientist, has recently published research which goes back over 20 years and links lack of sleep to cancer, heart disease, stroke, alzheimer's, obesity and poor mental health. Sleep deprivation is not simply annoying, it is extremely damaging to our health and is therefore a matter of public safety. We have spoken to council officers and police about the problems of street noise but it seems the only way that this can currently be dealt with is to try and stop the source of the problem meaning that controlling licensed premises is absolutely crucial..

I am not really familiar with the term 'dark kitchen' but I think this may mean that the business is also planning to do a lot of deliveries which again would cause a noise nuisance to local residents who are already regularly woken up by the slamming of uber car doors all through the night. If people are ordering local deliveries in the middle of the night neighbours are also likely to be suddenly woken up by door bells or loud door knocking.

Besides noise, residents also complain of a whole host of other problems such as takeaway litter strewn all over the streets, hazardous broken glass from smashed alcohol bottles and drunken people publicly urinating on the streets and in their gardens. People walking their children to school in the morning often have to negotiate vomit, broken glass and debris from the night before. Again, as I said before, adding yet another licensed premises will only add to these problems. Many long term residents have moved out of Fallowfield over the last 15 or so years because of these problems and we would love to be able to create a sustainable, balanced and harmonious community once again. We have been recently heartened to see a few new families (several with babies and young children) move into the area and we would really like them to feel that they can safely bring up their families here. I think that various council policies have helped this, including the CIP, and we are really grateful for the ongoing support from the council

I note that Reds Takeaway and Dark Kitchen have several branches, many of which are in well known student areas in Leeds, Nottingham, Sheffield. Fallowfield has an extremely large student population and it seems very likely that this business is aiming to target the student market, especially because the university is in the midst of a large expansion programme at their Fallowfield campus and have recently added yet another 1000 bed spaces. Students often go out in large groups, begin their night at about 11pm with pre-drinks and tend not to limit going out to the weekends so local residents (including students) are often more affected by an increase in this type of customer base, than they would be by a more mixed range of customers. In the next few years, the extra students at the Fallowfield campus are likely to move out into the surrounding area so the overall numbers will increase significantly, so it is more important than ever that steps are taken to minimise the problems.

We do not wish to come across as 'party poopers' or against innovative ideas, it is simply the scale of the problems in this particular area mean that this community will completely die out unless the licensing objectives are upheld

For all these reasons we urge you to reject this application in full.

Yours sincerely,

██████████

On behalf of SEFRG (South East Fallowfield Residents' Group)

RES 12

From: [REDACTED]
Date: Mon, 20 Jan 2020 at 23:11
Subject: Premises Licence (new) 242305/HH1: Reds Takeaway and Dark Kitchen,331 Wilmslow Rd.Manchester M14 6NW (Fallowfield Ward)
To: <premises.licensing@manchester.gov.uk>

I write to ask the Licensing committee to refuse the request put forward by the owner of this business. We have a Cumulative Impact Policy covering our area which should protect us from such developments as this and therefore lessen the risk of our being constantly disturbed throughout the night. With less people wandering the streets there would be less danger of crimes being committed and the residents safety would be more secure.
Thank you

[REDACTED]

[REDACTED]

Fallowfield

RES 13

From: [REDACTED]
Date: Mon, 20 Jan 2020 at 18:35
Subject: Premises Licence variation 242305/HH1 331 Wilmslow Road.
To: Premises Licensing <premises.licensing@manchester.gov.uk>

Dear Sir/Madam,

I write on behalf of my family to object to the above application. We live about [REDACTED] metres away from 331 Wilmslow Road.

The owner of Reds Takeaway and Dark Kitchen wishes to sell not only hot food until 5.00am every morning but also alcohol for consumption on or off the premises.

Reds Takeaway is in a Cumulative Impact Area . MCC implemented the policy after extensive consultation and submission of evidence. This showed how the concentration of bars, restaurants and takeaways in Fallowfield District Centre had led to the serious undermining of the Licensing Objectives designed to ensure Public Safety, and prevent Crime and Disorder as well as Public Nuisance.

For Fallowfield residents like us, the policy has been invaluable in preventing a further increase in the proliferation of 'night time economy' businesses in our local shopping centre. However the pre-existing concentration of such premises means our lives continue to be blighted by night-time noise, anti-social behaviour and criminal damage.

The e-mail below to the Off Campus Manager gives an indication of the continuing impact of drunken noise on my family's sleep and health.

[REDACTED]

[REDACTED]

[REDACTED]

Jan 18 at 11:55 AM

Dear [REDACTED]

I was disturbed at 11.10pm last night, then again in the small hours of this morning at 00.30 and 00.45am by groups of shouting males and females [REDACTED]

I should be grateful if you would log these events.

With thanks and best wishes [REDACTED]

At 3.30am on 27/12/19, I submitted an on-line report (There was no reply from the 101 line or Crime Stoppers) to the police - Ref. CDS-83848-10-0600-000 - concerning apparent drug dealing from a car parked with engine running outside my house.

Such disturbances are routine and in our view the consequence of a night time economy exploiting the large numbers of young people who live in HMOs in our neighbourhood.

We urge you to uphold the Cumulative Impact Policy and refuse the application.

Yours faithfully,

[REDACTED]

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

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. A suitable closed circuit Television (CCTV) system will be in operation at the premises at all times when it is being used for the provision of licensable activities and/or when members of the public are permitted to be on the premises. The CCTV system will record images to cover all areas of the premises to which the public have access (save for toilets), including any external areas of the premises such as car parks and beer gardens. The CCTV system will be capable of retaining images for a minimum of 31 days, will be of good quality and will contain the correct time and date stamp information. The CCTV system and images will be kept in a secure environment to which members of the public will not be permitted access. At least one member of staff will be on duty at the premises who is capable of operating the system and downloading images recorded by it. These images will be downloaded and provided, on request, to an officer of a responsible authority. 2. A Supervisor's Register will be maintained at the licensed premises, showing the names, addresses and up-to-date contact details for the DPS and all personal licence holders. 3. The premises licence holder and/or designated premises supervisor will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti-social behaviour, admissions refusals and ejections from the premises. The Incident Report Register will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported, the names and numbers of any police officers attending, the police incident and/or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident. The Incident Report Register will be retained for a period of twelve months and produced for inspection immediately on the request of an authorised officer. 4. Alcohol to accompany a take away food order can only be sold in sealed containers. Patrons are not permitted to remove drinks in open bottles or glasses from the premises. 5. At any time that the premises licence has effect the sale of alcohol for consumption on the premises will be ancillary to the service of table meals. 6. The premises have a current Fire Risk Assessment. 7. Members of the public will be prevented from accessing hot food and drink preparation areas to prevent risk of scald or burns. 8. Adequate and appropriate First Aid equipment and materials will be available on the premises at all times. 	N/A	Applicant

Schedule of Licence Conditions

<p>9. Except for access and egress, external doors shall remain closed during the performance of regulated entertainment and windows shall remain closed during the entire performance.</p> <p>10. Loud speakers shall not be located in external areas of the premises or in entrance lobbies which open directly onto external areas.</p> <p>11. Bottles will not be placed in any external receptacle between 23.00 hours and 07.00 hours so as to minimise noise disturbance to neighbouring properties.</p> <p>12. The premises licence holder and/or designated premises supervisor will ensure that litter, including cigarette ends, arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter.</p> <p>13. The premises will operate a 'Challenge 25' policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports official Photographic Identity Cards issued by EU states bearing a hologram or ultraviolet feature, driving licences with a photograph, photographic military ID or proof of age cards bearing the 'PASS' mark hologram. The list of approved forms of ID may be amended or revised with the prior written agreement of Greater Manchester Police, The Licensing Authority or Trading Standards without the need to amend the licence conditions attaching to it. Signage advertising the 'Challenge 25' policy will be displayed in prominent locations in the premises.</p>		
Conditions proposed by objectors	Agreed	Proposed by
<p>1. A log shall be kept at the premises in either electronic or paper format, to record all refusals to sell alcohol. The log shall record the date and time of the refusal; the reason for the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log will be checked regularly by the designated premise supervisor to ensure it is being used by staff and each check shall be recorded in the log.</p> <p>2. The Premise Licence Holder will ensure that before being permitted to sell and serve alcohol, all staff are trained to prevent underage sales and proxy purchases; in the operation of the Challenge 25 policy and how to record refusals in the refusals log. The training will be a documented training programme and will be refreshed at 6 monthly intervals. Training records will be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.</p>	No	Trading Standards

**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 17 February 2020

Subject: Viadux, Lawrence House, 8 Albion Street, Manchester, M1 5NZ -
App ref: Premises Licence (new) 242286

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: 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: Chloe Tomlinson
Position: Technical Licensing Officer
Telephone: 0161 234 4521
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 30/12/2019, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Viadux, Lawrence House, 8 Albion Street, Manchester, M1 5NZ 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 FAC251 Limited.
- 2.3 The description of the premises given by the applicant is 'creative arts and event space and corporate event space'.
- 2.4 The proposed designated premises supervisor is Jordan William Partridge.
- 2.5 **The licensable activities applied for:**

Provision of regulated entertainment (plays, films, boxing or wrestling entertainment, live music, recorded music, performances of dance and anything of a similar description to live music, recorded music or performances of dance):

Sun to Thurs 11am to 3am, Fri to Sat 11am to 6am

Provision of late night refreshment

Sun to Thurs 11pm to 3am, Fri to Sat 11pm to 5am

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

Sun to Thurs 11am to 3am, Fri to Sat 11am to 6am

Opening hours:

Sun to Thurs 11am to 3am, Fri to Sat 11am to 6am

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

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

2.6 **Activities unsuitable for children**

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

2.7 **Steps to promote the licensing objectives**

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

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

3. **Relevant Representations**

3.1 A total of 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	All other licensed premises within this area finish their licensable activities by 4am at the weekend and GMP would not want to see any premises extending this terminal hour in the location as it would have a massive impact on the GMP night time operation, potentially leading to increased crime and disorder. GMP have recommended reduced hours and a number of conditions that would better ensure the licensing objectives are upheld.	Grant with conditions and reduced hours

Licensing and Out of Hours Compliance	LOOH have expressed concerns that the proposed terminal hour, which is later than at other local premises, would create increased noise from patrons and leaving the premises and would therefore potentially lead to public nuisance. The taxi marshal scheme in this area, which facilitates the swift dispersal of patrons from the area, finishes before the proposed terminal hour, which could lead to loitering (creating a further nuisance) and also have a detrimental impact on traffic congestion. LOOH have recommended reduced hours and have requested that a condition requiring the DPS to be present at high capacity events be placed on the licence.	Grant with reduced hours and a condition
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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:

- Consistency with relevant Council strategies
- 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
- The availability of transport to and from the premises

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

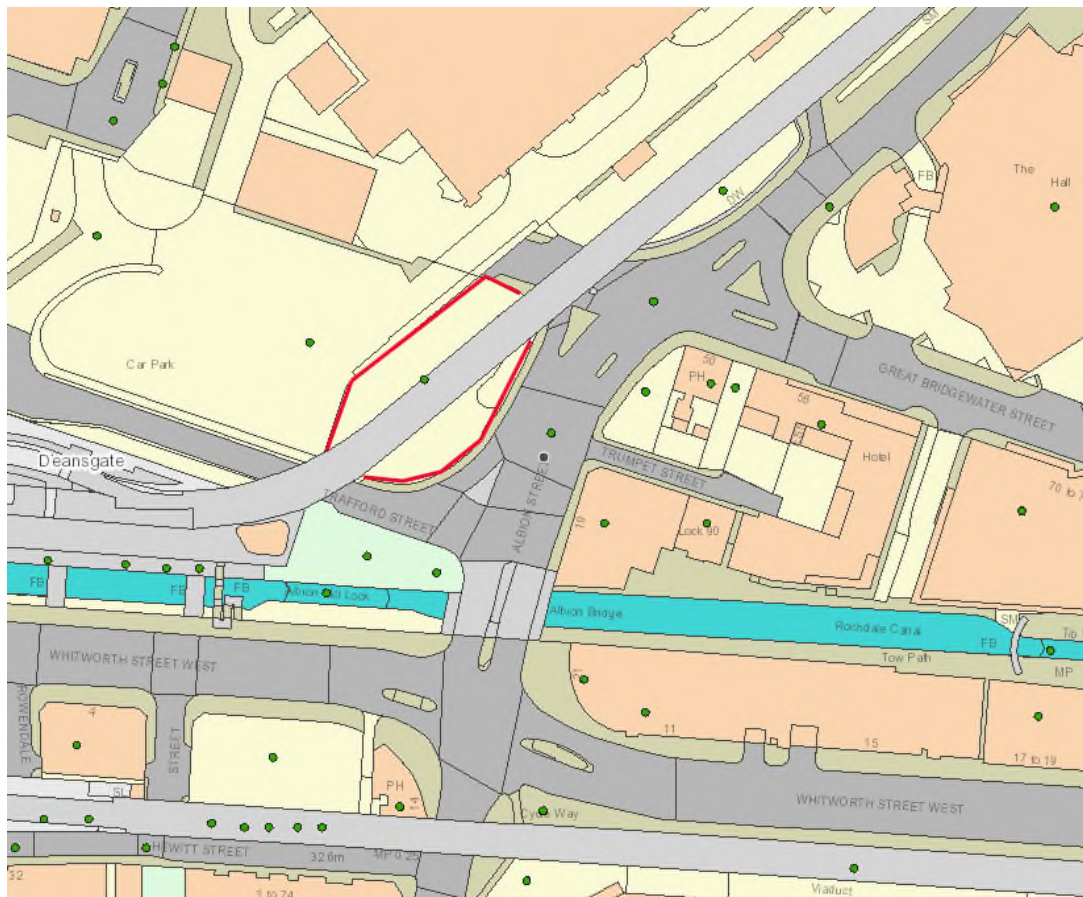
This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be appropriate to apply in every situation to every premises, and applicants are not obliged to include all standards in their operating schedule.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

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS7 Maintain a safe capacity
- MS8 Prevent noise nuisance from the premises

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.**



PREMISE NAME:	Viadux
PREMISE ADDRESS:	Lawrence House, 8 Albion Street, Manchester, M1 5NZ
WARD:	Deansgate
HEARING DATE:	17/02/2020

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

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Manchester City Council

**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 FAC251 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			
Viadux Lawrence House 8 Albion Street			
Post town	Manchester	Postcode	M1 5NZ
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£66,500 £51,500	

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 | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <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 please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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					
Nationality					
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal 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					
Nationality					
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal 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)					

(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 FAC251 Limited
Address Kay Johnson Gee LLP 2nd Floor 1 City Road East Manchester M15 4PN
Registered number (where applicable) 06161539

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
A	S	P

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)

Creative Arts and Event Space and Corporate Event Space.

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 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)

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

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

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 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11:00	03:00	<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	11:00	03:00			
Wed	11:00	03:00	<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur	11:00	03:00			
Fri	11:00	06:00	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5) On all Bank Holiday Sundays, licensable activities will be extended to 06:00. On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour. New Year's Eve - licensable activities will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sat	11:00	06:00			
Sun	11:00	03:00			

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	11:00	03:00			
Tue	11:00	03:00			
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed	11:00	03:00			
Thur	11:00	03:00			
			<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 5)		
Fri	11:00	06:00			
			On all Bank Holiday Sundays, licensable activities will be extended to 06:00.		
Sat	11:00	06:00			
			On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour. New Year's Eve - licensable activities will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sun	11:00	03:00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)		
Day	Start	Finish			
Mon					
			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)		
Tue					

Wed			
Thur			<p><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 5)</p>
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon	11:00	03:00				
Tue	11:00	03:00	<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)			
Wed	11:00	03:00				
Thur	11:00	03:00	<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Fri	11:00	06:00				
Sat	11:00	06:00	On all Bank Holiday Sundays, licensable activities will be extended to 06:00.			
Sun	11:00	03:00	On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour. New Year's Eve - licensable activities will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.			

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	03:00	<u>Please give further details here</u> (please read guidance note 3)		
Tue	11:00	03:00			
Wed	11:00	03:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur	11:00	03:00			
Fri	11:00	06:00	<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 5)		
Sat	11:00	06:00	On all Bank Holiday Sundays, licensable activities will be extended to 06:00.		
Sun	11:00	03:00	On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour. New Year's Eve - licensable activities will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	03:00	<u>Please give further details here</u> (please read guidance note 3)		
Tue	11:00	03:00			
Wed	11:00	03:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		

Thur	11:00	03:00	
Fri	11:00	06:00	<p><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p> <p>On all Bank Holiday Sundays, licensable activities will be extended to 06:00.</p> <p>On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour.</p> <p>New Year's Eve - licensable activities will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>
Sat	11:00	06:00	
Sun	11:00	03:00	

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	11:00	03:00			
Tue	11:00	03:00			
Wed	11:00	03:00			
Thur	11:00	03:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Fri	11:00	06:00			
Sat	11:00	06:00			
Sun	11:00	03:00			
			<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 5)		
			On all Bank Holiday Sundays, licensable activities will be extended to 06:00.		
			On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour.		
			New Year's Eve - licensable activities will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	11:00	03:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	11:00	03:00	<u>Please give further details here</u> (please read guidance note 3)		
Wed	11:00	03:00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Thur	11:00	03:00			
Fri	11:00	06:00			
Sat	11:00	06:00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun	11:00	03:00	On all Bank Holiday Sundays, licensable activities will be extended to 06:00.		
			On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour.		
			New Year's Eve - licensable activities will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	23:00	03:00	Please give further details here (please read guidance note 3)		
Tue	23:00	03:00			
Wed	23:00	03:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23:00	03:00			
Fri	23:00	06:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	23:00	06:00	On all Bank Holiday Sundays, licensable activities will be extended to 06:00.		
Sun	23:00	03:00	On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour. New Year's Eve - licensable activities will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	11:00	03:00	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	11:00	03:00			
Wed	11:00	03:00			
Thur	11:00	03:00	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 5)		

Fri	11:00	06:00	On all Bank Holiday Sundays, licensable activities will be extended to 06:00.		
Sat	11:00	06:00		On the day when British Summer Time commences, and on that day only, licensable activities will be extended by one hour.	
Sun	11:00	03:00			New Year's Eve - licensable activities will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name Jordan William Partridge	
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 8).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	11:00	03:00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p> <p>On all Bank Holiday Sundays, opening hours will be extended to 06:00.</p> <p>On the day when British Summer Time commences, and on that day only, opening hours will be extended by one hour.</p> <p>New Year's Eve - opening hours will be extended from the end of the permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>
Tue	11:00	03:00	
Wed	11:00	03:00	
Thur	11:00	03:00	
Fri	11:00	06:00	
Sat	11:00	06:00	
Sun	11:00	03:00	

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 9)

--

b) The prevention of crime and disorder

1. Every event shall be allocated a designated event supervisor who will risk assess each event and liaise with the appropriate licensing authorities.
2. An alcohol management plan shall be created where relevant, including appropriate stewarding and door supervision provision.
3. Clear and concise operating procedures shall be in place for the venue.
4. Risk assessments shall be prepared for appropriate events, for both the venue and full event activity, and will include for staffing provision, including SIA door supervisors.
5. Each event area shall be clearly demarcated.
6. No alcohol shall leave the demarcated events area. Appropriate signage shall be in place to communicate this.
7. Customers shall not be permitted to enter the events venue with alcohol.
8. No person under the age of 18 shall be permitted in the bar area after 2300.
9. All events shall be risk assessed for their suitability for children, and sale of alcohol shall be restricted in accordance with the requirements of such events.
10. BBFC age certification guidance shall be followed for the exhibition of films.
11. Information about all events shall be displayed clearly outside the premises.
12. All family events shall participate in the child safe scheme.
13. 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. 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 public 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 disk, flash card etc.), a secure storage system to store those recording mediums shall be provided.
14. 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
 - d. any faults in the CCTV system
 - e. any visit by a relevant authority or emergency service
15. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling

alcohol must be in possession of formal identification to enable to verify their identity against the notice.

16. The premises shall display prominent signage indicating at any point of sale, the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy alcohol for a person under the age of 18.
17. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice.
18. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.

c) Public safety

19. Emergency planning procedures and risk assessments, including fire risk assessment and evacuation procedures shall be in place
20. Appropriate lighting shall be in place in all areas.
21. Clickers shall be used at all events to maintain safe occupancy levels.
22. Adequate toilet facilities shall be provided, taking into account the scale and duration of events.
23. A telephone number for customers and local residents will be publicly available at all times so that any issues can be reported during the premise opening times.

d) The prevention of public nuisance

24. A noise management plan shall be in place and shall incorporate: monitoring of sound levels; a complaints procedure; objectively responding to issues swiftly; and maintaining good communications.
25. A waste management plan and a cleaning plan shall be in place and shall incorporate provision of refuse receptacles, and staffing provisions at all times of trading for the removal of waste.
26. There shall be a documented dispersal policy as agreed with the relevant responsible authorities implemented at the premises and a copy lodged with the Council's Licensing Unit.
27. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
28. Any queue to enter the premises which forms outside the premises shall be kept orderly and supervised by licensed door supervisors so as to ensure that there is no public nuisance or obstruction to the public highway.
29. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause public nuisance.
30. A specific taxi operator shall be nominated for staff and customers use. The company's

telephone number shall be advertised to customers. The operator, and all drivers, shall be aware that they should arrive and depart as quietly as possible. Should not sound vehicle horns as a signal of their arrival or leave engines running unnecessarily.

31. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises is open to the public and dedicated litter pickers shall patrol the area at closing time.
32. Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.
33. No bottles, glasses or similar items may be disposed of in outside receptacles between 2300 and 0700.
34. Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address. For the avoidance of doubt, this includes the avoidance of slamming doors, playing loud music, shouting, over-revving the engine and sounding their horn to signal their arrival. The driver shall turn the engine off immediately upon arrival at the delivery address and will park considerately without causing any obstruction to the highway.

e) The protection of children from harm

35. A "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram.

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 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11). **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	23 December 2019
Capacity	Woods Whur 2014 Limited - Solicitors for the Applicant

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)					
[REDACTED]					
Post town		[REDACTED]	Postcode		[REDACTED]
Telephone number (if any)		[REDACTED]			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)					
[REDACTED]					

Consent of individual to being specified as premises supervisor

I Jordan William Partridge

DOB: [REDACTED]

Nationality: British

Place of Birth: [REDACTED]

Of [REDACTED]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Grant of Premises Licence

By ~~Tokyo Industries (Ultimate) Limited~~ FAC2SI Limited

relating to premises licence

for Viadux, Lawrence House, 8 Albion Street, Manchester, M1 5NZ

and any premises licence to be granted or varied in respect of this application made by

~~Tokyo Industries (Ultimate) Limited~~ FAC2SI Limited

concerning the supply of alcohol at

Viadux, Lawrence House, 8 Albion Street, Manchester, M1 5NZ

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

Personal licence number : - 193061

Personal licence issuing authority - Manchester City Council

Signed [REDACTED]

Name Jordan William Partridge

Dated 20/12/19

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

Name	Signe Johansen
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	Signe.johansen@manchester.gov.uk
Telephone Number	

Premise Details	
Application Ref No	653420
Name of Premises	Viadux
Address	Lawrence House, 8 Albion Street, Manchester, M1 5NZ

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 (LOOH) have assessed the likely impact of the granting of the application submitted for a new licence at Lawrence House 8 Albion Street. LOOH have consulted the Council's Statement of Licensing Policy 2016-2021 and assessed any potential risk that the granting of this could undermine the four licensing objectives of public nuisance, crime and disorder, protection of children from harm and public health.</p> <p>The premises is located in the former Bauer Millett Car showrooms, 8 Albion Street. The premise is situated on a busy arterial road into the city close to Manchester Central conference centre. The Beetham Tower, 301 Deansgate, Manchester M3 4LQ (Hilton hotel) is approximately 50 meters to the rear of the proposed premise, across the road there is the Hacienda building which accommodates approximately 200 apartments as well as offices and commercial units. There is also a new residential block nearing completion on the corner of Deansgate locks / Albion Street known as the Axis tower, this new 28 floor residential apartment block will be approximately 25 meters to the front right of the proposed premise.</p> <p>The entrance and exit to the premises is via a forecourt and slip road used for a car park which is open 7am- 11pm weekdays and 8:30am- 11pm weekends.</p> <p>The application is for: Opening hours: Sun to Thurs 11am to 3am, Fri to Sat 11am to 6am</p> <p>Provision of regulated entertainment: Sun to Thurs 11am to 3am, Fri to Sat 11am to 6am</p> <p>Provision of late night refreshment: Sun to Thurs 11pm to 3am, Fri to Sat 11pm to 5am</p> <p>The supply of alcohol for consumption both on and off the premises: Sun to Thurs 11am to 3am, Fri to Sat 11am to 6am</p> <p>All Bank Holiday Sundays, opening hours extended to 06.00.</p>	

In considering the premises running until 06:00 LOOH have concerns that the grant of this application will lead to issues of public nuisance.

Public nuisance is likely to be created by increased noise by from patrons leaving at the terminal hour which is longer than those in the surrounding area. The latest closing on Deansgate Locks is 4.30am. There is a risk that patrons from the Locks would look to be entering the premises to continue their night when dispersal from those venues begins rather than head home. There is a taxi marshals scheme on the Locks at weekends and key nights to facilitate swift dispersal which ends shortly after. If admitted to the premises those people will add to the numbers and exacerbate issues of noise at terminal hour, if refused people will be loitering in the area also causing nuisance to the residents in the vicinity.

Due to the location of the premises I have concerns that dispersal would be troublesome if main dispersal were after the taxi scheme nearby had gone. There is no area for taxis to pull up outside the venue without causing congestion. Due to the premises being on an arterial road into the city centre and the Manchester Central conference centre there is likely to be effect on the day time economy when the public will be arriving or passing through, on a daily commute or visiting the City.

Consulting the Statement of Licensing Policy the following is relevant-

Paragraph 7.26 refers to consideration the Authority should make to prevention of nuisance such as noise disturbance from people entering and leaving the premises, prevention of disturbance by people outside the premises, litter from premises when the premises is in the vicinity of residential properties.

Paragraph 7.28 in that the licensing authority will give consideration to the appropriateness of hours applied for, having regard for the location of premises and their likely effect of the promotion of the four Licensing Objectives

Paragraph 7.29 the authority considers that late hours will typically be more sensitive and higher risk in causing problems

Paragraph 7.31 states that in spite of the quality of the operation of the business the lateness of terminal hour for the premises will often be a contributory factor in the potential for disturbance.

Paragraph 7.38 It is important that there is adequate and effective supply of late night transportation to service demand. Consideration may be given restricting operating hours to enable effective dispersal.

I believe that the late terminal hour of this application will be conflicting with the Policy and Licensing Objectives will not be upheld.

Due to this we ask that the hours of operation are brought in line with those in the surrounding areas:

Opening hours:

Sun to Thurs 11am to 3am, Fri to Sat 11am to 4:30am

Provision of regulated entertainment, late night refreshment and supply of alcohol:

Sun to Thurs 11am to 3am, Fri to Sat 11am to 4am

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

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

Sunday and Monday of a Bank Holiday weekend: One additional hour following the terminal hour

The venue have submitted Temporary Event Notices. No complaints have been received and LOOH have been unable to proactively monitor. There have been Temporary Event Notices submitted for the adjoining premises by the proposed DPS, LOOH have found issues with security and noise. The proposed DPS has been

evasive when LOOH have tried to contact him. LOOH understanding is that he has also proposed to be DPS at another City Centre premises. LOOH would like the assurances that the proposed DPS would be contactable and a condition that he will be present at high capacity events held at Viadux.

While not for consideration in this representation it is worth the applicant noting that I do not believe the current site has planning permission for the proposed activities.

Recommendation:	Approve with conditions.
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GREATER MANCHESTER POLICE - REPRESENTATION

About You

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

About the Premises

Application Reference No.	LPA 242286
Name of the Premises	Viadux
Address of the premises including postcode	Lawrence House, 8 Albion Street, Manchester M1 5NZ

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, Public Safety and the Prevention of Public Nuisance.

The application seeks to allow the premises to sell alcohol, permit regulated entertainment and provide late night refreshment until 3am Sunday to Thursday and until 6am in Friday and Saturday

The location where the premises are situated has other licenced premises but these all finish their licensable activities by 4am at the weekend and GMP would not want to see any premises extending this terminal hour in the location as it would have a massive impact on the GMP night time operation.

The Deansgate Locks area is one of the most demanding areas during the weekend night time economy and generates a very large number of incidents of violence and disorder.

At the moment the operation commander is able to redeploy resources from this location to other more problematic areas of the city centre from 4.30am but if this licence was granted with the 6am finish this would not be possible as patrols would have to remain in this location to maintain order and keep the peace.

GMP have no problem with the 3am finish during the rest of the week but if this licence was granted we would ask that the licensable activities on Fridays and Saturdays be pulled back to 04:00 with the premises closing at 04:30.

We also would have expected to see a more robust doorstaff condition on the application so we would ask that the following conditions are also attached to the licence if it is granted:

A Risk assessment will be prepared for all events at the premises. For non-corporate/product launch events that are running after 2300 hours door staff will be employed at the premises from 2200 hrs until close, at a ratio of 1 door supervisor to 100 customers, with a minimum of 2 door supervisors on duty. A door supervisor deployment plan will be written and door staff will be deployed where risk assessed to ensure sufficient members of the SIA door team are placed at areas within the premises requiring additional supervisor. The Premises Licence Holder will deploy at least 1 door supervisor per 100 people in the queue to enter the premises.

At least one member of door staff at the entrance to the premises will wear and use a body cam to record all incidents of disorder and all ejections. All door staff shall wear hi-vis jackets/vests whilst on duty.

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Every event shall be allocated a designated event supervisor who will risk assess each event and liaise with the licensing authority. 2. An alcohol management plan shall be created where relevant, including appropriate stewarding and door supervision provision. 3. Risk assessments shall be prepared for appropriate events, for both the venue and full event activity, and will include for staffing provision, including SIA door supervisors. 4. Each event area shall be clearly demarcated and each event area shall be clearly demarcated. 5. Customers shall not be permitted to enter the events venue with alcohol. 6. No person under the age of 18 shall be permitted in the bar area after 2300. 7. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice. 8. The premises shall display prominent signage indicating at any point of sale, the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy alcohol for a person under the age of 18. 9. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice. 10. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer of Manchester City Council. 11. Emergency planning procedures and risk assessments, including fire risk assessment and evacuation procedures, shall be in place. 12. Appropriate lighting shall be in place in all areas. 13. Clickers shall be used at all events to maintain safe occupancy levels. 	N/A	Applicant

Schedule of Licence Conditions

<p>14. Adequate toilet facilities shall be provided, taking into account the scale and duration of events.</p> <p>15. A telephone number for customers and local residents will be publicly available at all times so that any issues can be reported during the premise opening times.</p> <p>16. A noise management plan shall be in place and shall incorporate: monitoring of sound levels; a complaints procedure; objectively responding to issues swiftly; and maintaining good communications.</p> <p>17. A waste management plan and a cleaning plan shall be in place and shall incorporate provision of refuse receptacles, and staffing provisions at all times of trading for the removal of waste</p> <p>18. There shall be a documented dispersal policy as agreed with the relevant responsible authorities implemented at the premises and a copy lodged with the Council's Licensing Unit.</p> <p>19. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.</p> <p>20. Any queue to enter the premises which forms outside the premises shall be kept orderly and supervised by licensed door supervisors so as to ensure that there is no public nuisance or obstruction to the public highway.</p> <p>21. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause public nuisance.</p> <p>22. A specific taxi operator shall be nominated for staff and customers use. The company's telephone number shall be advertised to customers. The operator, and all drivers, shall be aware that they should arrive and depart as quietly as possible and that they should not sound vehicle horns as a signal of their arrival or leave engines running unnecessarily.</p> <p>23. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises is open to the public and dedicated litter pickers shall patrol the area at closing time.</p> <p>24. Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.</p> <p>25. No bottles, glasses or similar items may be disposed of in outside receptacles between 2300 and 0700.</p> <p>26. Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address. For the avoidance of doubt, this includes the avoidance of slamming doors, playing loud music, shouting, over-revving the engine</p>		
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Schedule of Licence Conditions

<p>and sounding their horn to signal their arrival. The driver shall turn the engine off immediately upon arrival at the delivery address and will park considerably without causing any obstruction to the highway.</p> <p>27.A "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram.</p> <p>28. All events shall be risk assessed for their suitability for children, and the sale of alcohol shall be restricted in accordance with the requirements of such events.</p> <p>29. Information about all events shall be displayed clearly outside the premises.</p> <p>30. All family events shall participate in the child safe scheme.</p> <p>31. 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. 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 public 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 disk, flash card etc.), a secure storage system to store those recording mediums shall be provided.</p> <p>32. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:</p> <ul style="list-style-type: none"> i) all crimes reported to the venue, or by the venue to the Police ii) all ejections of patrons iii) any incidents of disorder iv) any faults in the CCTV system v) any visit by a relevant authority or emergency service 		

Schedule of Licence Conditions

Conditions and hours proposed by objectors	Agreed	Proposed by
<p>33. A Risk assessment will be prepared for all events at the premises. For non-corporate/product launch events that are running after 2300 hours door staff will be employed at the premises from 2200 hrs until close, at a ratio of 1 door supervisor to 100 customers, with a minimum of 2 door supervisors on duty. A door supervisor deployment plan will be written and door staff will be deployed where risk assessed to ensure sufficient members of the SIA door team are placed at areas within the premises requiring additional supervisor. The Premises Licence Holder will deploy at least 1 door supervisor per 100 people in the queue to enter the premises.</p> <p>34. At least one member of door staff at the entrance to the premises will wear and use a body cam to record all incidents of disorder and all ejections. All door staff shall wear hi-vis jackets/vests whilst on duty.</p> <p><u>Hours amended to:</u></p> <p>Provision of regulated entertainment (plays, films, boxing or wrestling entertainment, live music, recorded music, performances of dance and anything of a similar description to live music, recorded music or performances of dance):</p> <p>Sun to Thurs 11am to 3am, Fri to Sat 11am to 4am</p> <p>Provision of late night refreshment:</p> <p>Sun to Thurs 11pm to 3am, Fri to Sat 11pm to 4am</p> <p>The supply of alcohol for consumption both on and off the premises:</p> <p>Sun to Thurs 11am to 3am, Fri to Sat 11am to 4am</p> <p>Opening hours:</p> <p>Sun to Thurs 11am to 3am, Fri to Sat 11am to 04.30am</p>	No	GMP
<p>35. The DPS shall be present at all high capacity events held at the premises.</p> <p><u>Hours amended to:</u></p> <p>Provision of regulated entertainment (plays, films, boxing or wrestling entertainment, live music, recorded music, performances of dance and anything of a similar description to live music, recorded music or performances of dance):</p> <p>Sun to Thurs 11am to 3am, Fri to Sat 11am to 4am</p> <p>Provision of late night refreshment:</p> <p>Sun to Thurs 11pm to 3am, Fri to Sat 11pm to 4am</p> <p>The supply of alcohol for consumption both on and off the premises:</p>	No	Licensing and Out of Hours

Schedule of Licence Conditions

<p>Sun to Thurs 11am to 3am, Fri to Sat 11am to 4am</p> <p>Opening hours:</p> <p>Sun to Thurs 11am to 3am, Fri to Sat 11am to 04.30am</p> <p>Non-standard timings:</p> <p>New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.</p> <p>On the day British Summer Time commences: one additional hour following the terminal hour.</p> <p>Sunday and Monday of a Bank Holiday weekend: One additional hour following the terminal hour.</p>		
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Licensing Act 2003 (Hearings) Regulations 2005

Reference: 238214
Name: Osteria Zora
Address: 477 Wilmslow Road, Manchester, M20 4AN
Ward: Withington
Application Type: Premises Licence (new)
Name of Applicant: Mr Toufik Boukhelal
Date of application: 27/12/2019

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted

Provision of regulated entertainment (recorded music):

Mon to Thu 4.00pm to 10.00pm

Fri to Sat 4.00pm to 10.30pm

Sun 2.00pm to 9.00pm

The supply of alcohol for consumption on the premises only:

Mon to Thu 4.00pm to 10.00pm

Fri to Sat 4.00pm to 10.30pm

Sun 2.00pm to 9.00pm

Opening hours:

Mon to Thu 4.00pm to 10.00pm

Fri to Sat 4.00pm to 10.30pm

Sun 2.00pm to 9.00pm

Representations received	
Greater Manchester Police	Due to no viable conditions being put forward by the applicant in the applications' Operating Schedule, GMP has concerns over the applicants understanding of the Four Licensing Objectives. To allay their concerns GMP are requesting the imposition of conditions on to the licence, should it be granted, that it is felt will sufficiently address their concerns in regard to the applicant being able to correctly uphold and enforce the Four Licensing Objectives at the premises.
Licensing & Out of Hours Compliance	As with GMP, LOOH Compliance have expressed concern that the applicant has shown little understanding of the Four Licensing Objectives in his application due to proposing no viable conditions that would sufficiently uphold and enforce the Licensing Objectives at the premises. Should it be granted, and too address sufficiently their concerns in this matter, LOOH compliance are requesting a wide range of extra conditions be added to the licence.
The Trading Standards Service	It is of concern to The Trading Standards Service that the applicant has proposed no conditions that would address the Licensing Objective relating to the protection of children from harm. The Trading Standards Service are requesting that extra conditions relating to the application of age verification policies and procedures (i.e. 'Challenge 25') be inserted into the premises licence, should it be granted.

Agreements between parties
<p>Greater Manchester Police:</p> <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. 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 26 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;
 - d) any faults in the CCTV system;
 - e) any visit by a relevant authority or emergency service;
 - f) all refusals of sales of alcohol.
3. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of identification to enable to verify their identity against the notice.
4. The premises shall display prominent signage indicating at any point of sale, the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.
5. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals.

*(*Note: GMP has agreed a reduced period of 26 days retention of recorded CCTV imagery as the applicants recording equipment will only store CCTV images for a maximum period of 26 days)*

Licensing & Out of Hours Compliance:

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 shall 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. Sales of Alcohol for consumption on the premises shall only be supplied with, and ancillary to a main meal
6. No super-strength beer, lager or ciders of 6.5% ABV (alcohol by volume) or above shall be sold at the premises
7. A Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall be required to provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a valid passport, valid photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram.
8. Children shall only be allowed on the premises if they are accompanied by an adult
9. The premises shall display prominent signage indicating in all areas where alcohol is located that it is an offence for a person under the age of 18 to buy or attempt to buy alcohol and that a Challenge 25 scheme is in operation.
10. All staff shall record refusals to sell alcohol (this can be either electronically or a paper based system, e.g. in a refusals log) which the licensee shall check at regular intervals. The log shall record the date and time of the refusal and the name of the person refusing the sale.
11. The premises licence holder shall ensure that at all times when the public is present there is at least one competent person able to administer first aid, that an adequate and appropriate supply of first aid equipment and materials is available on the premises, and that adequate records are maintained in relation to the supply of any first aid treatment
12. Staff shall be trained (and undergo regular refresher training) in respect of the sale of alcohol including awareness/prevention of proxy sales, recognising the signs of drunkenness and how to refuse service - such training sessions to be documented and records made available to authorised persons from Responsible Authorities.
13. The licence holder shall enter into an agreement with a private hire firm to provide transport for customers, with contact numbers made readily available to customers, who will be encouraged to use such services. A call-back system must be operated and drivers instructed not to sound their horns when collecting customers
14. Notices shall be prominently displayed at any area used for smoking, requesting patrons to respect the needs of local residents and use the area quietly
15. No bottles, glasses or similar items may be disposed of in outside receptacles between 22:00 and 08:00 hours
16. No deliveries must be made to the premises between 22:00 and 08:00 hours.
17. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.
18. Signs to be displayed requesting customers to be quiet when leaving the premises.

The Trading Standards Service:

1. A Challenge 25 scheme must be operated to ensure that any person

who appears to be under the age of 25 shall be required to provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a valid passport, valid photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram.

2. All staff shall record refusals to sell alcohol (this can be either electronically or a paper based system e.g. in a refusals log) which the licensee shall check at regular intervals. The log shall record the date and time of the refusal and the name of the person refusing the sale.
3. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales and how to operate the Challenge 25 policy, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals.
4. Staff training records and refusals logs shall be made on request by Greater Manchester Police or an authorised officer of Manchester City Council.
5. The premises shall display prominent signage indicating in all areas where alcohol is located that it is an offence for a person under the age of 18 to buy or attempt to buy alcohol and that a Challenge 25 scheme is in operation.

Duplication of conditions:

1. LOOH Compliance Conditions 1 to 4 duplicate the GMP condition relating to the installation & use of CCTV at the premises (*GMP has agreed a reduced CCTV recordings retention period of 26 days with the applicant*)
2. LOOH Compliance Condition 7 duplicates Trading Standards Service Condition 1
3. LOOH Compliance Condition 9 duplicates GMP Condition 4 and Trading Standards Service Condition 5.
4. LOOH Compliance Condition 10 duplicates Trading Standards Service Condition 2.
5. LOOH Compliance Condition 12 duplicates GMP Condition 5 and Trading Standards Service Condition 3.

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
- Original application form
- Representations made against application and respective agreements

Licensing Act 2003 (Hearings) Regulations 2005

Reference: 241841
Name: Lahori Grill
Address: 406 Barlow Moor Road, Manchester, M21 8AD
Ward: Chorlton Park
Application Type: Premises Licence (new)
Name of Applicant: Asian Grill Cuisine Limited
Date of application: 07/01/2020

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted

Provision of late night refreshment: indoors

Mon to Sun 11pm to midnight

Opening hours:

Mon to Sun 7am to midnight

Representations received

Licensing & Out of Hours
Compliance (LOOH)

LOOH objected to the application on the grounds that the premises is located in a residential area and are concerned that due to the relatively close proximity of numerous residential properties there is a considerable risk that noise nuisance may arise. LOOH have proposed further conditions to be added to the licence so as to uphold the licensing objectives.

Agreements between parties

LOOH and the applicant have agreed to the addition of the following conditions to the licence :

1. The premises and immediate surrounding areas shall be kept clean and free from litter at all times the premises are open to the public.
2. Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.
3. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
4. 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.
5. 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
6. 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.

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
- Original application form
- Representations made against application and respective agreements



MANCHESTER
CITY COUNCIL

Licensing Act 2003 (Hearings) Regulations 2005

Reference: 242455
Name: Dixy Chicken
Address: 38 Shudehill, Manchester, M4 1EZ
Ward: Piccadilly
Application Type: Premises Licence (new)
Name of Applicant: Sayed Shahid Mehmood Shah
Date of application: 03/01/2020

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted

Provision of late night refreshment:

Sun to Tues 11pm to 2am

Weds to Thurs 11pm to 4am

Fri to Sat 11pm to 5am

Non Standard Timings:

Christmas Eve and Bank Holiday Sundays 11pm to 5am

Opening hours:

Sun to Tues 11am to 2am

Weds to Thurs 11am to 4am

Fri to Sat 11am to 5am

Non Standard Timings:

Christmas Eve and Bank Holiday Sundays 11am to 5am

Representations received

Licensing & Out of Hours
Compliance

Based on the grounds of prevention of crime and disorder and prevention of public nuisance. LOOH recommend that a number of the steps

	proposed by the applicant are changed to more detailed/robust conditions and have also proposed some further conditions, all which have been agreed with the applicant.
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Agreements between parties

Licensing & Out of Hours Compliance:

Change: Notice will be displayed to leave the premises in an orderly manner.

To: Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly and in an orderly manner.

Change: Area outside the premises will be kept clean.

To: The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public and cleaned at the end of trading each day.

Change: A written record will be kept in a register of every person employed as security personnel.

To: A written record shall be kept on the premises of every person employed on the premises as security personnel in a register kept for that purpose. That record shall contain the following details:-

- a. the door supervisor's name
- b. his/her Security Industry Authority licence number;
- c. the time and date he/she starts and finishes duty;
- d. the time of any breaks taken whilst on duty;
- e. each entry shall be signed by the door supervisor.

That register shall be available for inspection on demand by officers from responsible authorities.

Include: All staff shall be trained in managing and resolving conflict Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.

Include: 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.

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
- Original application form
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