



Licensing Sub Committee Hearing Panel

Date: Monday, 2 March 2020
Time: 10.10 am (or at the rise of Licensing and Appeals Sub
Committee Hearing Panel)
Venue: Council Antechamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Access to the Council Antechamber

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

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

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Grimshaw (Chair), Hewitson and Jeavons

Agenda

1. Urgent Business

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

2. Appeals

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

3. Interests

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

4. Application for a New Premises Licence: Reds Takeaway & Dark Kitchen, 331 Wilmslow Road, M14 6NW 5 - 128

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

5. Application for a New Premises Licence: Waffle Away, 120a Withington Road, Manchester, M16 8FA 129 - 188

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

6. Application for a New Premises Licence: Ariana Restaurant, 113 Wilmslow Road, Manchester, M14 5AN 189 - 258

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

7. Application for a New Licence: Wolf At The Door, 30-32 Thomas Street, Manchester, M4 1ER 259 - 330

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

8. Determination - Application for a New Premises Licence: Chennai Dosa, Ground Floor, 303-305 Palatine Road, Manchester, M22 4HH 331 - 334

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

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.

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
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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, 20 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 – 2 March 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:

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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

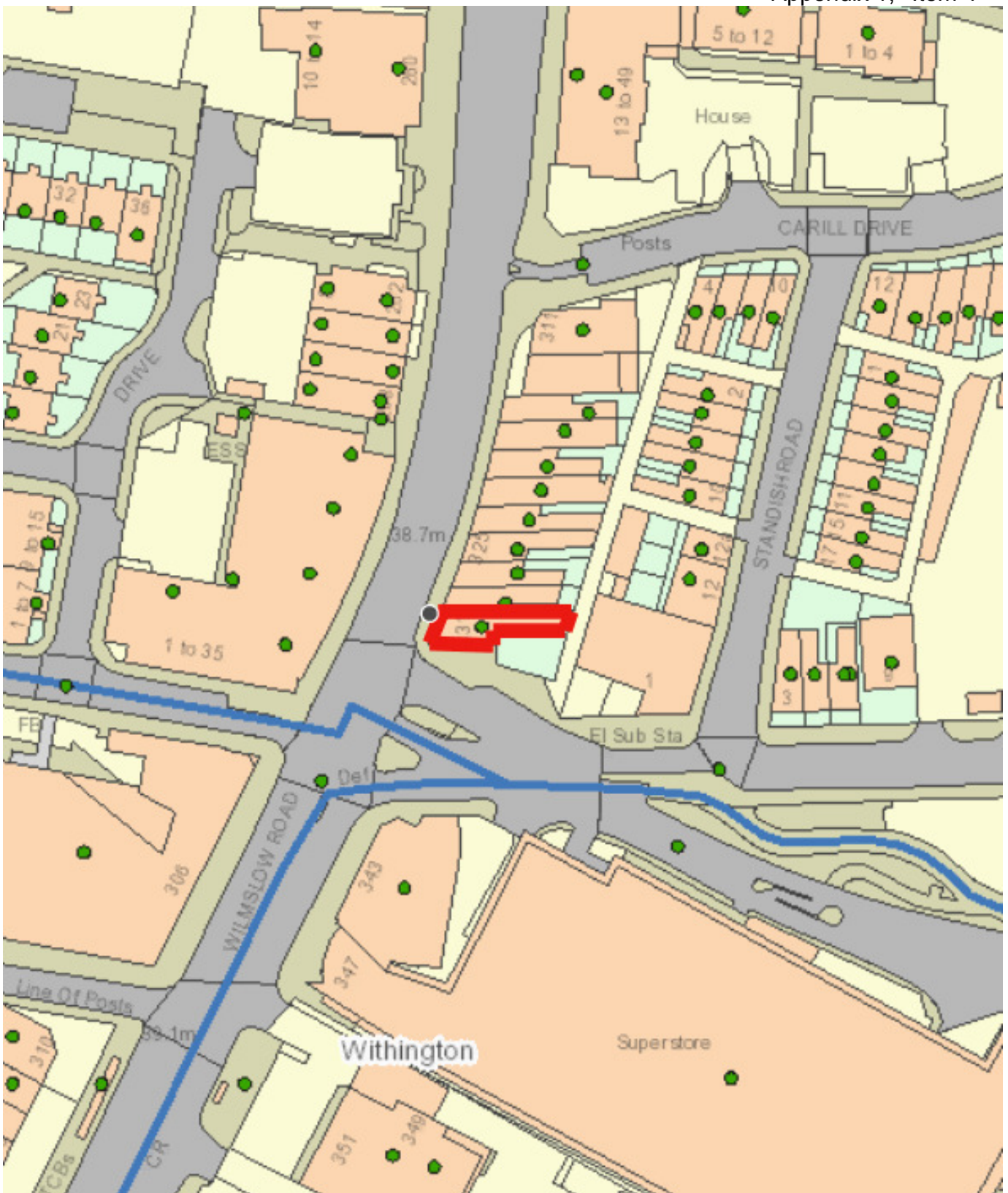
Section 9: Alcohol delivery services

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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Survey100019568.



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

Telephone number at premises (if any)

Non-domestic rateable value of premises

£13,750

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) <input type="checkbox"/>
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	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed	11:00	05:00			
Thur	11:00	05:00	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)		
Fri	11:00	05:00			
Sat	11:00	05:00			
Sun	11:00	05:00			

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			
Mon					
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					

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		
Mon			Please give further details here (please read guidance note 3)	
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 4)	
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		
Mon			Please give further details (please read guidance note 3)	
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>
Day	Start	Finish		<p>Both <input checked="" type="checkbox"/></p>
Mon	11:00	05:00	<p>Please give further details here (please read guidance note 3)</p>	
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 times. 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 times – 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			State any seasonal variations for entertainment of a similar description to				
Thur							

			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


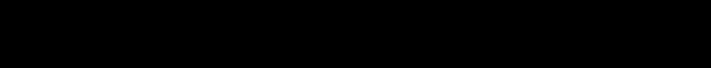
liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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.

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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 address 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:

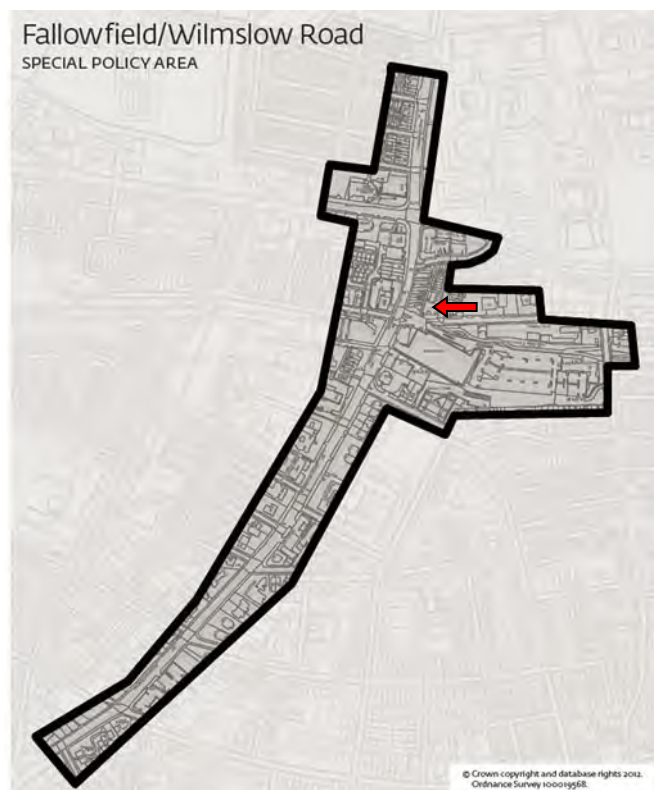
Mon to Sun 11pm to 5am

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




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 – 2 March 2020

Subject: Waffle Away, 120a Withington Road, Manchester, M16 8FA - App
ref: Premises Licence (new) 242018

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: Whalley Range

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

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

Background documents (available for public inspection):

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

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

1. **Introduction**

- 1.1 On 10/01/2020, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Waffle Away, 120a Withington Road, Manchester, M16 8FA in the Whalley Range ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. **The Application**

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Mr Yema Raufi.
- 2.3 The description of the premises given by the applicant is: 'A desserts parlour that will sell milkshakes, cakes, waffles, etc.'
- 2.4 **The licensable activities applied for:**
- Provision of Late Night Refreshment:
Mon to Sun 11.00pm to 2.00am
- Opening hours:
Mon to Sun 11.00am to 2.00am
- 2.4.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 2.4.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.

2.5 **Activities unsuitable for children**

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

2.6 **Steps to promote the licensing objectives**

2.6.1 The applicant has not proposed any viable or enforceable conditions via his application to promote and uphold the licensing objectives.

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 for 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	GMP are dissatisfied that the applicant has proposed nothing by way of viable or enforceable conditions via the application's Operating Schedule and they are of the opinion that this obvious lack of knowledge and awareness on the applicant's part will result in the Four Licensing Objectives being undermined at the premises, should the application be granted. Consequently GMP are requesting that the application be refused.	Refuse
Licensing and Out of Hours Compliance	As with GMP, LOOH Compliance are concerned that the absence of relevant/enforceable conditions in the application's Operating Schedule will mean that, should the application be granted, the Four Licensing Objectives would be liable to be undermined at the premises. Although LOOH Compliance have expressed concern in regard to all of the Licensing Objectives being adversely affected at the premises, it is of particular concern that the Licensing Objective relating to the prevention of public nuisance could be particularly affected (due, primarily, to	Grant with conditions

	<p>the premises' proximity to nearby private residences). To address their concerns in regard to this matter, LOOH Compliance are requesting the imposition of a range of conditions on to any granted premises licence. Furthermore, LOOH Compliance are also seeking a reduction in the applied for operating times for the premises, as it is felt that the hours applied for are excessive and would add further to the undermining of the Four Licensing Objectives were they to be authorised/approved.</p>	
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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
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Ability to clean and maintain the street scene

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

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

MS2	Effective general management of the premises
MS8	Prevent noise nuisance from the premises
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.



Waffle Away
120a Withington Road, Manchester, M16 8FA

Premises Licensing
Manchester City Council

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PREMISE NAME:	Waffle Away
PREMISE ADDRESS:	120a Withington Road, Manchester, M16 8FA
WARD:	Whalley Range
HEARING DATE:	2 nd March 2020

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

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We YEMA RAUFI
(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			
120A, WITHINGTON ROAD			
Post town	MANCHESTER	Postcode	M16 8FA
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 5,600	

Part 2 - Applicant details

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

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)
Surname RAUFI		First names YEMA		
Date of birth		I am 18 years old or over	<input checked="" type="checkbox"/> Please tick yes	
Nationality				
Current residential address if different from premises address	15, MORETON AVENUE STRETFORD			
Post town	MANCHESTER	Postcode	M32 8BP	
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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
21	22	014

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)

The Premises is a DESSERTS PARLOUR WHERE WE SELL SHAKES, CAKES, WAFFLES ETC.

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

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

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

In all cases complete boxes K, L and M

A

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

B

Films Standard days and timings (please read guidance note 7)			<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"/>
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 exhibition of films</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

C

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

D

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

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	11.00	02.00	Please give further details here (please read guidance note 4)	WE HAVE SEATING OUTDOORS	
Tue	11.00	02.00			
Wed	11.00	02.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)	N/A	
Thur	11.00	02.00			
Fri	11.00	02.00	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 6)	N/A	
Sat	11.00	02.00			
Sun	11.00	02.00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
			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)		
Sun					

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

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

K

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

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) N/A
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) N/A
Mon	11:00	02:00	
Tue	11:00	02:00	
Wed	11:00	02:00	
Thur	11:00	02:00	
Fri	11:00	02:00	
Sat	11:00	02:00	
Sun	11:00	02:00	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

THE NOTES PLACED BELOW HIGHLIGHT THE STEPS I WILL TAKE TO PROMOTE THE FOUR LICENSING OBJECTIVES.

b) The prevention of crime and disorder

WE WILL ENSURE THAT NO CRIME TAKES PLACE IN THE PREMISES BY KEEPING GOOD RELATIONSHIPS WITH CUSTOMERS. WE HAVE CCTV CAMERAS FITTED

c) Public safety

WE COMPLY WITH ALL HEALTH AND SAFETY REGULATIONS AND ALL EQUIPMENT USED BY STAFF IS OF GREAT QUALITY.

d) The prevention of public nuisance

THE PREMISES DOES NOT GENERATE ANY NOISE OR SOUND THAT CAN CAUSE A NUISANCE. WE HAVE GOOD RELATIONS WITH NEIGHBOURS.

e) The protection of children from harm

THE PREMISES HAS A RULE WHERE WE DO NOT USE FOUL LANGUAGE, THERE IS NO DRUG USE AND THERE IS A FAMILY ATMOSPHERE.

Checklist:

Please tick to indicate agreement

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


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

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

Part 4 – Signatures (please read guidance note 11)

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

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

	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	12/12/2019
Capacity	BUSINESS OWNER

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)			

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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 242018
Name of the Premises	Waffle Away
Address of the premises including postcode	120a Withington Road, Manchester M16 8FA

Your Representation

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

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

The operating schedule which accompanies the application offers nothing in terms of enforceable conditions which show how the 4 Licensing Objectives will be upheld.

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

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

We therefore ask that this application is refused.



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details	
Application Ref No	242018
Name of Premises	Waffle Away
Address	120a Withington Road, Manchester, M16 8FA

Representation
<p>Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.</p> <p>The Licensing and Out of Hours Team (LOOHT) have assessed the likely impact of the late night refreshment establishment opening at 120a Withington Road, Whalley Range, Manchester, M16 8FA taking into account a number of factors. This includes the location of nearby residential properties, the hours applied for and any potential risk that the granting of this licence, could lead to issues of Public Nuisance, Public Safety, Prevention of Crime & Disorder and Protection of Children from Harm.</p> <p>The application is to allow an existing take away food establishment to sell hot food and drink between the hours of 23:00 – 02:00.</p> <p>LOOHT have given particular consideration to Manchester City Council's Statement of Licensing Policy, specifically s.7.25 in that the licensing authority will ensure that due consideration will be given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises; as well as s.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.</p> <p>The premises is situated on Withington Road and is part of a relatively busy area within the Whalley Range ward. Within the vicinity there is a good mix of retail units including shops, takeaways, post office, fast food restaurants and barbers/beauticians.</p> <p>There are also a number of residential properties in relatively close distance to the rear on May Road.</p> <p>LOOHT have concerns relating to the noise emanating from the premises. Given the relatively close proximity of residential properties there is a considerable risk that noise nuisance may arise from the external area by</p>

way of people noise and also from the premises itself.

Following discussions with the applicant they appear to be committed to fulfilling the license objectives, however were in agreement that further measures could be implemented in respect of the control of noise from the premise, litter from patrons and also any issues of crime & disorder. We therefore recommend that in order to prevent the problems described above the following conditions should be attached to the Premises Licence to ensure the licensing objectives are upheld:

- The premises and immediate surrounding areas shall be kept clean and free from litter at all times the premises are open to the public.
- Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
- The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.
- An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:

crimes reported to the venue, or by the venue to the Police

ejections of patrons

y incidents of disorder

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

Furthermore given our concerns outlined above we would recommend the timings for licensable activities to be reduced:

Late Night Refreshment:

Sunday to Thursday 11:00 – 00:00

Friday to Saturday 11:00 – 01:00

Hours premises are open to the public

Sunday to Thursday 11:00 – 00:00

Friday to Saturday 11:00 – 01:00

We believe these conditions and reduction in hours are proportionate and necessary to prevent the problems described and promote the licensing objectives.

Recommendation: Approve with Conditions (Outlined Above)

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
None	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
<p>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.</p> <p>2. Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.</p> <p>3. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.</p> <p>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.</p> <p>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:</p> <ul style="list-style-type: none"> a) crimes reported to the venue, or by the venue, to the police; b) ejections of patrons; c) any incidents of disorder. <p>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.</p> <p>In addition, timings for licensable activities to be reduced:</p>	No	Licensing and Out of Hours

Schedule of Licence Conditions

<p>Late Night Refreshment:</p> <ul style="list-style-type: none">• Sunday to Thursday 23:00 – 00:00• Friday to Saturday 23:00 – 01:00 <p>Hours premises are open to the public</p> <ul style="list-style-type: none">• Sunday to Thursday 11:00 – 00:00• Friday to Saturday 11:00 – 01:00		
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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 2 March 2020

Subject: Ariana Restaurant, 113 Wilmslow Road, Manchester, M14 5AN –
Application ref: Premises Licence (new) 241817

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: Rusholme

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

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

Background documents (available for public inspection):

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

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

1. Introduction

- 1.1 On 06/01/2020, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Ariana Restaurant, 113 Wilmslow Road, Manchester, M14 5AN in the Rusholme ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is:
Afghan Stop Ltd.

The description of the premises given by the applicant is:
Persian restaurant over 2 floors

2.3 **The licensable activities applied for:**

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

Opening hours:
Mon to Sun noon to 2am

- 2.3.1 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.
- 2.3.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.

2.4 **Activities unsuitable for children**

2.4.1 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.

2.5 **Steps to promote the licensing objectives**

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

2.5.2 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**.

2.6 **Further documentation accompanying the application**

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

3. **Relevant Representations**

3.1 A total of two relevant representations were received in respect of the application (**Appendix 3**). Original copies of these representations will be available to the Panel at the hearing.

Responsible Authorities:

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

3.2

Party	Grounds of representation	Recommends
GMP	<ul style="list-style-type: none"> • The operating schedule “gives the impression that the applicant has a limited understanding of the Licensing Objectives, which raises concerns about how the premises will be operated.” • “The likely effect of the grant of the Premises Licence with such a scant operating schedule is that all 4 of the Licensing Objectives will be undermined.” 	Refuse
Licensing and Out of Hours Compliance	<ul style="list-style-type: none"> • The applicant has failed to provide sufficient information in the application, “specifically considering it is located in a heavily populated residential area and has other issues such as crime, litter and waste” 	Refuse

	<ul style="list-style-type: none"> • The applicant has failed to state how they will uphold all licensing objectives. • A number of offences have been committed at the premises, for which prosecution is currently in process. Details of communication with the applicant are included with the objection, and a number of letters are included as supporting documentation. • The objection concludes that the Licensing and Out of Hours Team “feel the grant of a licence, based on the application submitted, and the conduct of the applicant would undermine the licensing objectives”. 	
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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.

3.5 Correspondence from the applicant’s agent in response to the points raised in the objections is attached at **Appendix 5**.

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 New Information

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

4.3 Hearsay Evidence

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

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

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

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

4.5 **Manchester Statement of Licensing Policy**

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

Section 6: What we aim to encourage

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

- Premises that will extend the diversity of entertainment and attract a wider range of participants.
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives.
- National cultural institutions, global sports events and cultural festivals.
- Non-drink-led premises, including restaurants, cafes, theatres and cinemas.

- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application.
- Participation in Pubwatches, off licence forums and other crime-reduction partnerships.
- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership.
- Designing out crime in the layout of the premises.

Section 7: Local factors

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

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

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

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

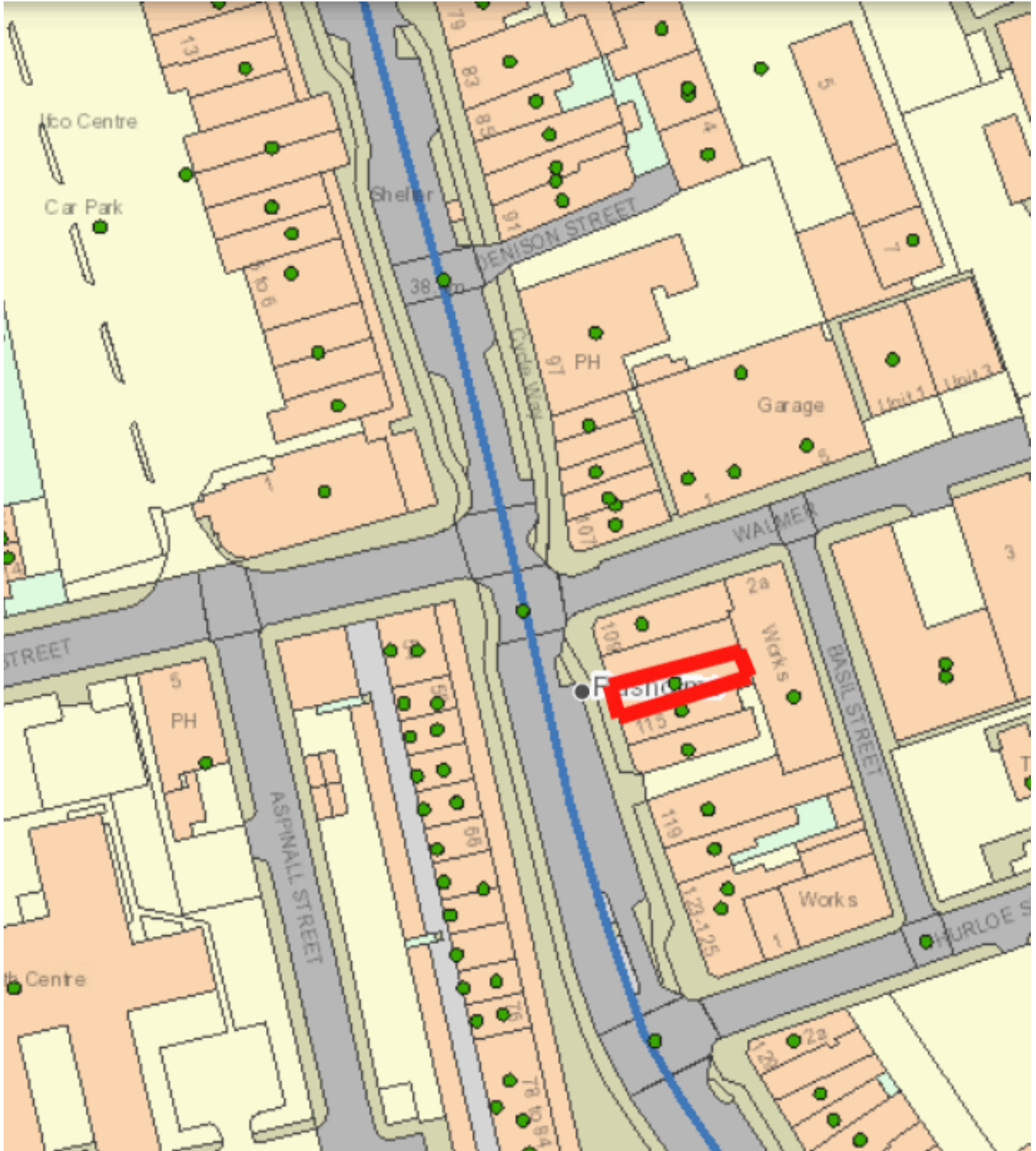
This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be appropriate to apply in every situation to every premises, and applicants are not obliged to include all standards in their operating schedule.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

MS2 Effective general management of the premises

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.



Ariana Restaurant
113 Wilmslow Road, Manchester, M14 5AN

Premises Licensing
Manchester City Council

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Survey100019568.



PREMISE NAME:	Ariana Restaurant
PREMISE ADDRESS:	113 Wilmslow Road, Manchester, M14 5AN
WARD:	Rusholme
HEARING DATE:	02/03/2020

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 Afghan Stop 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 Ariana Restaurant, 113 Wilmslow Road			
Post town	Manchester	Postcode	M14 5AN
Telephone number at premises (if any)	0161 637 9897		
Non-domestic rateable value of premises	£16000.00		

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 | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | 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 | <input type="checkbox"/> | 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 | <input type="checkbox"/> | please complete section (B) |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | 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

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)					

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					
Current postal 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 Afghan Stop Ltd
Address 113 Wilmslow Road, Manchester, M14 5AN
Registered number (where applicable) 12128196
Description of applicant (for example, partnership, company, unincorporated association etc.) Director of Company
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	12	2019

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)
 Persian restaurant over 2 floors

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? Late night opening hours

(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)
- 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

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

B

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

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)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			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 boxing or wrestling entertainment</u> (please read guidance note 5)	
Thur				
Fri				
Sat			<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)	
Sun				

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			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
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			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

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			<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						

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	02:00	<u>Please give further details here</u> (please read guidance note 4) Food, traditional Persian tea and deserts will be served as usual without amplified music.		
Tue	23:00	02:00			
Wed	23:00	02:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) There are no seasonal variations of late night refreshments.		
Thur	23:00	02:00			
Fri	23:00	02:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6) N/A		
Sat	23:00	02:00			
Sun	23:00	02:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Tue					
Wed					
Thur			<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 6)		
Fri					
Sat					
Sun					

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

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

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).
 Not Applicable

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>	<p>State any seasonal variations (please read guidance note 5) No variations. Opening hours requested for 365 days a year including public and national holidays.</p>																								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Day</th> <th style="width: 20%;">Start</th> <th style="width: 20%;">Finish</th> </tr> </thead> <tbody> <tr> <td>Mon</td> <td>12:00</td> <td>02:00</td> </tr> <tr> <td>Tue</td> <td>12:00</td> <td>02:00</td> </tr> <tr> <td>Wed</td> <td>12:00</td> <td>02:00</td> </tr> <tr> <td>Thur</td> <td>12:00</td> <td>02:00</td> </tr> <tr> <td>Fri</td> <td>12:00</td> <td>02:00</td> </tr> <tr> <td>Sat</td> <td>12:00</td> <td>02:00</td> </tr> <tr> <td>Sun</td> <td>12:00</td> <td>02:00</td> </tr> </tbody> </table>	Day	Start	Finish	Mon	12:00	02:00	Tue	12:00	02:00	Wed	12:00	02:00	Thur	12:00	02:00	Fri	12:00	02:00	Sat	12:00	02:00	Sun	12:00	02:00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p>
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Sat	12:00	02:00																							
Sun	12:00	02:00																							

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

Evaluation of the below items will be discussed during meetings to ensure all areas are being addressed adequately and effectively. Any shortfall and changes would be implemented following agreement with management.

b) The prevention of crime and disorder

The site will have CCTV installed 24/7 and is backed up everyday. The business operators will also maintain contact with the local police to ensure any antisocial behaviour or criminal activity is reported. Regular meetings would be arranged with neighbouring businesses to ensure crime is controlled as best as possible.

c) Public safety

The site will have CCTV installed 24/7 for the safety of public. The business operators will also maintain contact with the local police to ensure public safety.

d) The prevention of public nuisance

The site will have CCTV installed 24/7 and is backed up everyday. The business operators will also maintain contact with the local police to ensure any antisocial behaviour or criminal activity is reported. Regular checks will take place by the management to ensure the public is not inconvenienced in any way as an outcome of the business operations. The management would discuss such items in management meetings too.

e) The protection of children from harm

The site will have CCTV installed 24/7 and is backed up everyday. The business operators will also maintain contact with the local police to ensure any antisocial behaviour or criminal activity is reported. A fun and vibrant atmosphere and friendly staff will ensure all children are looked after and offered possible small activities such as colouring pictures, and pencils.

Checklist:

- 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 (please read note 15).

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	The application was accepted without a signature, having been submitted from the agents email address
Date	06.12.19
Capacity	Architect/Agent on behalf of client

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	Manchester	Postcode	
Telephone number (if any)			

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).

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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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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 241817
Name of the Premises	Ariana Restaurant
Address of the premises including postcode	113 Wilmslow Road, Manchester M14 5AN

Your Representation	
<p>Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the licence on the licensing objectives on and in the vicinity of the premises in question.</p>	
<p>Please accept this as formal notification of the Greater Manchester Police objection to the premises licence in relation to the above premises on the grounds of Prevention of Crime and Disorder and the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.</p> <p>The operating schedule which accompanies the application offers hardly anything in terms of enforceable conditions which show how the 4 Licensing Objectives will be upheld. It gives the impression that the applicant has a limited understanding of the Licensing Objectives, which raises concerns about how the premises will be operated.</p> <p>The likely effect of the grant of the Premises Licence with such a scant operating schedule is that all 4 of the Licensing Objectives will be undermined.</p> <p>We therefore ask that this application is refused.</p>	



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details

Application Ref No	241817
Name of Premises	Ariana Restaurant
Address	113 Wilmslow Road, Manchester, M14 5AN

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 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 area in which the premises is located and any potential risk that the granting of this application could lead to issues of public nuisance and public safety.

The applicant has failed to provide sufficient information in the application with specific reference to the prevention of public, public safety and the protection of children against harm. Specifically considering it is located in a heavily populated residential area and has other issues such as crime, litter and waste.

It would appear that for each of the licensing objectives the same offer of conditions have been copied and pasted in each objective area. This in itself raises serious concerns that the applicant has not given the application the necessary level of thought, or the issues likely to affect residents and the local community.

Section 7.1 of Manchester's Statement of Licensing Policy states "Licensed premises are expected to be an asset to their local area through promotion of the licensing objectives." Although the applicant has indicated that they have considered the licensing objectives within the application, they have not offered adequate conditions that can be measured to ensure that these objectives are upheld.

The Licensing and Out of Hours Team feel that the applicant has failed to state how they will uphold all licensing objectives. The failure to propose adequate conditions to prevent public nuisance causes severe concerns to Licensing and Out Of Hours as the applicant's lack of consideration to the local area is apparent. Manchester's Statement of Licensing Policy states in section 7.5 that "applicants are expected to address any local factors relevant to their premises."

Ariana are in the process of being prosecuted by the Licensing and Out of Hours Team under section 187 of the Licensing Act 2003 for neglect and for 3 offences of conducting an unauthorised licensable activity under section 136 of the Licensing Act 2003. The applicant has committed three offences by serving hot refreshments between the hours of 23:00 – 05:00 without a premises licence and authority to do so.

Prior to this application the applicant received advice, support and warning in relation to conducting unauthorised licensable activities. During this period the applicant continued to breach the Licensing Act 2003 without any consideration to the requests of Manchester City Council and the importance of the licensing objectives.

I exhibit a copy of a warning letter as LS1 which was sent to Afghan Stop Limited & Tasal Gul Mohammad in relation to a non-payment of licence fee. Included within the letter was clear information stating that no licensable activities should be carried out at the premises. Following the warning letter the premises was witnessed trading without a licence on the 9th August 2019, 14th August 2019, 23th August 2019, 28th August 2019, 3rd September 2019, 6th October 2019. Due to the offences committed under the licensing act, the applicant was subsequently invited to an interview under caution subsequent to the Police and Criminal Evidence Act 1984. The applicant attended the interview on the 10th September 2019.

The Licensing and Out of Hours Team, in our capacity as the Environmental Health Responsible Authority, feel the grant of a licence, based on the application submitted, and the conduct of the applicant would undermine the licensing objectives and request it to be refused.

Recommendation: Refuse Application

LS1



MANCHESTER
CITY COUNCIL

FAO The Manager
Ariana Restaurant
113 Wilmslow Road
Manchester
M14 5AN

Licensing & Out of Hours Compliance
The Neighbourhoods Service
PO Box 532, Town Hall
Manchester, M60 2LA

To reply please contact:
Devon Bennett

Tel: 0161 234 1782
e-mail: devon.bennett@manchester.gov.uk

Ref: 235656

Date: 8th August 2019

Dear Sir / Madam

Ariana Restaurant, 113 Wilmslow Road, Manchester, M14 5AN
Licensing Act 2003:

Manchester City Council as Licensing Authority has not received the payment of £180.00 for the annual fee for the years 2014/15 17/18, 18/19, 19/20. Due to a missing payment in 2014 the licence was therefore suspended.

We have also not received any communication from you regarding changing the current licence from Zains Crispy Chicken to the Ariana Restaurant.

You should be aware that under Section 136 of the Licensing Act 2003 subsection it is an offence to carry on or attempt to carry on a licensable activity on or from any premises otherwise than under and in accordance with an 'authorisation' or knowingly allow a licensable activity to be so carried on. An authorisation includes a premises licence, club premises certificate or temporary event notice. In other words you must have one of these authorisations from the City Council before carrying on the licensable activity. A person guilty of these offences is liable on conviction to 6 months imprisonment or a fine up to £20,000.

Please accept this letter as notice that you are required, with immediate effect, to cease carrying out all licensable activity until the above amount has been paid and the licence has been transferred / updated accordingly.

If you are in any doubt about whether you are carrying on a licensable activity you should obtain legal advice immediately. Licensable activities include providing late night refreshment between 23:00 and 05:00 hours, supplying alcohol, or providing "Regulated entertainment."

You should be aware that we may now carry out monitoring visits to your premises to ensure no hot food or drink is served after 11:00pm. Should we obtain satisfactory evidence that demonstrates that hot food is being sold, this matter will be passed to the City Solicitors which may result in legal proceedings being taken against you in the Magistrates Court.

I must also inform you that as per Section 6(1) of the Health Act 2006 It is the duty of any person who occupies or is concerned in the management of smoke-free premises to make sure that no-smoking signs complying with the requirements of this section are displayed in those premises in accordance with the requirements of this section.

We have recently visited your premises and seen that you are failing to display “No-smoking” signs at your premises. Under the Health Act 2006 it s an offence to fail to display the appropriate signage at an “enclose” or “substantially enclosed” public place or workplace.

The purpose of writing to you is to make you aware of the complaint and ask you to ensure that you are taking the necessary steps to comply with the requirements of the Health Act 2006.

If you would like more information about the Health Act 2006 or advice about how to comply with this legislation I would advise you to look at the following website:

www.smokefreeengland.co.uk.

We may now visit your premises to check that you are complying with the requirements of the Health Act 2006. Should we obtain satisfactory evidence that you are not complying with the requirements of the Health Act 2006 a fixed penalty notice will be issued further breaches may include the matter may be referred to the City Solicitors which may result in legal proceedings being taken against you in the Magistrates Court.

If you have any questions about this letter or wish to discuss this further please contact the Licensing Unit by telephone on 0161 234 5004 or by email on premises.licensing@manchester.gov.uk contact

Yours sincerely

Devon Bennett
Licensing Compliance Officer



**MANCHESTER
CITY COUNCIL**

**Licensing & Out of Hours Compliance
The Neighbourhoods Service**
PO Box 532, Town Hall
Manchester, M60 2LA

Afghan Stop Limited
113 Wilmslow Road
Manchester
M14 5AN

To reply please contact:
Devon Bennett

Tel: 0161 234 1782
e-mail: devon.bennett@manchester.gov.uk

Ref: 235656

Date: 15th August 2019

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Yours sincerely

Devon Bennett
Licensing Compliance Officer



Licensing & Out of Hours Compliance
The Neighbourhoods Service
PO Box 532, Town Hall
Manchester, M60 2LA

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M14 5AN

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e-mail: devon.bennett@manchester.gov.uk

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If you have any questions about this letter or wish to discuss this further please contact the Licensing Unit by telephone on 0161 234 5004 or by email on premises.licensing@manchester.gov.uk contact

Yours sincerely

Devon Bennett
Licensing Compliance Officer

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Evaluation of the below items will be discussed during meetings to ensure all areas are being addressed adequately and effectively. Any shortfall and changes would be implemented following agreement with management. 2. The site will have CCTV installed 24/7 and is backed up every day. 3. The business operators will maintain contact with the local police to ensure any antisocial behaviour or criminal activity is reported. 4. Regular meetings would be arranged with neighbouring businesses to ensure crime is controlled as best as possible. 5. CCTV installed 24/7 for the safety of public. The business operators will also maintain contact with the local police to ensure public safety. 6. Regular checks will take place by the management to ensure the public is not inconvenienced in any way as an outcome of the business operations. The management would discuss such items in management meetings too. 7. The business operators will also maintain contact with the local police to ensure any antisocial behaviour or criminal activity is reported. 	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
No conditions have been proposed by GMP	Not applicable	GMP
No conditions have been proposed by the Licensing and Out of Hours Enforcement team	Not applicable	Licensing and Out of Hours

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

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From: **Premises Licensing** <premises.licensing@manchester.gov.uk>
Date: Sat, 15 Feb 2020 at 12:41
Subject: INFORMATION FROM APPLICANT for hearing - new premises licence application - Ariana Restaurant 241817HH

To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
>

Dear all

Please see the information below, circulated on behalf of the applicant in advance of the hearing.

Yours sincerely
Helen Howden

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

From: [REDACTED] >
Date: Sat, 15 Feb 2020 at 05:51
Subject: Re: 19-761 REPRESENTATION from Licensing Out of Hours team - Ariana Restaurant 241817HH
To: Premises Licensing <premises.licensing@manchester.gov.uk>

Dear Helen,

Yes i would like my email to be presented at the hearing too with all the details. Unless luke or other necerrary parties liaise with me to resolve the issues.

Kind Regards

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: Re: 19-761 REPRESENTATION from Licensing Out of Hours team - Ariana Restaurant 241817HH

Dear [REDACTED]

I am in the process of putting together the papers for the hearing. Could I ask whether the information in your email below is something that you will want to refer to at the hearing? If so, then this additional information should be circulated to all parties so that they have the chance to consider it before the hearing. The Chair will then decide whether the information may be raised at the hearing.

Please could I ask you to let me know as soon as possible?

Kind regards, Helen

On Fri, 7 Feb 2020 at 10:16, Ahmed <[REDACTED]> wrote:
Dear Luke,

Many thanks for your comments and feedback received. I appreciate the comments but would like the opportunity to explain the situation and the course of actions taken to try and resolve this matter.

You may be aware that the applicant has only been responsible for the current business following the license being surrendered in September 2019. The current business operators are new and have been highly motivated to help address all concerns and obtain the premises license. We were appointed to resolve this matter as soon as they were aware of an issue existed which demonstrates they wanted to take responsibility and action the problem urgently. Since appointed, the applicant has maintained contact with me and called regularly due to the concern which is quite rare with many clients in similar situations. The reason for me to highlight this point is that the real cause of this problem for licensing was not my client, but the previous operators prior to September 2019 and I would be disappointed if my client was penalised for something that was not their responsibility at the time. My client has been working closely with me and acted on anything I have asked them to do imminently.

Also, I have read through your comments received regarding the licensing objectives. Since then, I have also read through in detail the 'Statement of licensing Policy' document provided by Manchester Premises Licensing Dept which explains key areas of concern to discuss within the licensing objectives on the application form submitted. The issue I have found is that the guidance is heavily related to drinking establishments and the issues related to consumption of alcohol within or outside a commercial business operation. The applicant has a family restaurant business where no alcohol is served and never has served any alcohol. We do not expect to experience the majority of the points raised in the guidance document. I have added some points to the attached application form to help further but we would really like your assistance to better understand any specific concerns you may have and we can ensure these are added to the application as well as anything else you would like us to address to help meet your concerns.

I would like to stress that my client is a genuine business operator who has and is willing to work with you to satisfy any requirements but just need some assistance if there is anything that is missing in terms of actions and specific requirements.

Please could you advise on this and I will then ensure we progress as necessary to obtain your approval.

I notices the hearing is on 2nd March 2020 which is approx. 3 week away. Naturally, I am conscious of this and want to try and resolve all matters prior to this date.

I look forward to hearing from you.

Kind Regards

[Redacted signature]

[Redacted contact information]

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 2 March 2020

Subject: Wolf at the Door, 30-32 Thomas Street, Manchester, M4 1ER -
App ref: Premises Licence variation 243149

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendations

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 Policy and implementation will enable growth in our City by supporting businesses who promote the Licensing Objectives.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications. Representations have to be directly related to the licensing objectives.
A liveable and low carbon city: a destination of choice to live, visit and work.	An effective licensing system supports and enables growth and employment in our City with neighbourhoods that provide amenities suitable to the surrounding communities.

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue - None

Financial Consequences – Capital - None

Contact Officers:

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

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

Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 17/01/2020, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of Wolf at the Door, 30-32 Thomas Street, Manchester, M4 1ER in the Piccadilly ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. Current Licence

- 2.1 The premises licence holder is Wilderness Trading Limited and a copy of the current licence is attached at **Appendix 2**.

3. The Application

- 3.1 A copy of the application is attached at **Appendix 3**.
- 3.2 The variation is to:
- Vary the layout of the premises in accordance with the plans submitted with the application;
 - Extend the hours for licensable activities to 01:00 Sunday to Wednesday and 03:00 Friday and Saturday;
 - Extend the hours for opening to 01:30 Sunday to Wednesday and 03:30 Friday and Saturday;
 - To amend/remove various conditions
- 3.2.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 3.2.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 3**.

3.3 Activities unsuitable for children

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

3.4 Steps to promote the licensing objectives

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

3.4.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 6**.

3.4.3 Further documentation accompanying the application:

- Revised plan of the premises

4. Relevant Representations

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

Responsible Authorities:

- Greater Manchester Police.

4.2 Summary of the representations: AMEND AS NECESSARY

Party	Grounds of representation	Recommends
GMP	<p>The grounds for the objection are the Prevention of Crime and Disorder, the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.</p> <p>Thomas Street is a very challenging area and GMP are concerned that increasing the hours and making the licence less robust may lead to incidents of violence and anti-social behaviour at the premises, which to date has not been an issue.</p>	Refuse

5. Key Policies and Considerations

5.1 Legal Considerations

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

5.2 New Information

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

5.3 Hearsay Evidence

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

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

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

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

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

5.5 Manchester Statement of Licensing Policy

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

5.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing

objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.

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

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area

- Consistency with relevant Council strategies
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance

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

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

MS1	Implement effective security measures at the premises
MS2	Effective general management of the premises
MS3	Responsible promotion and sale of alcohol
MS8	Prevent noise nuisance from the premises

6. Conclusion

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

6.2

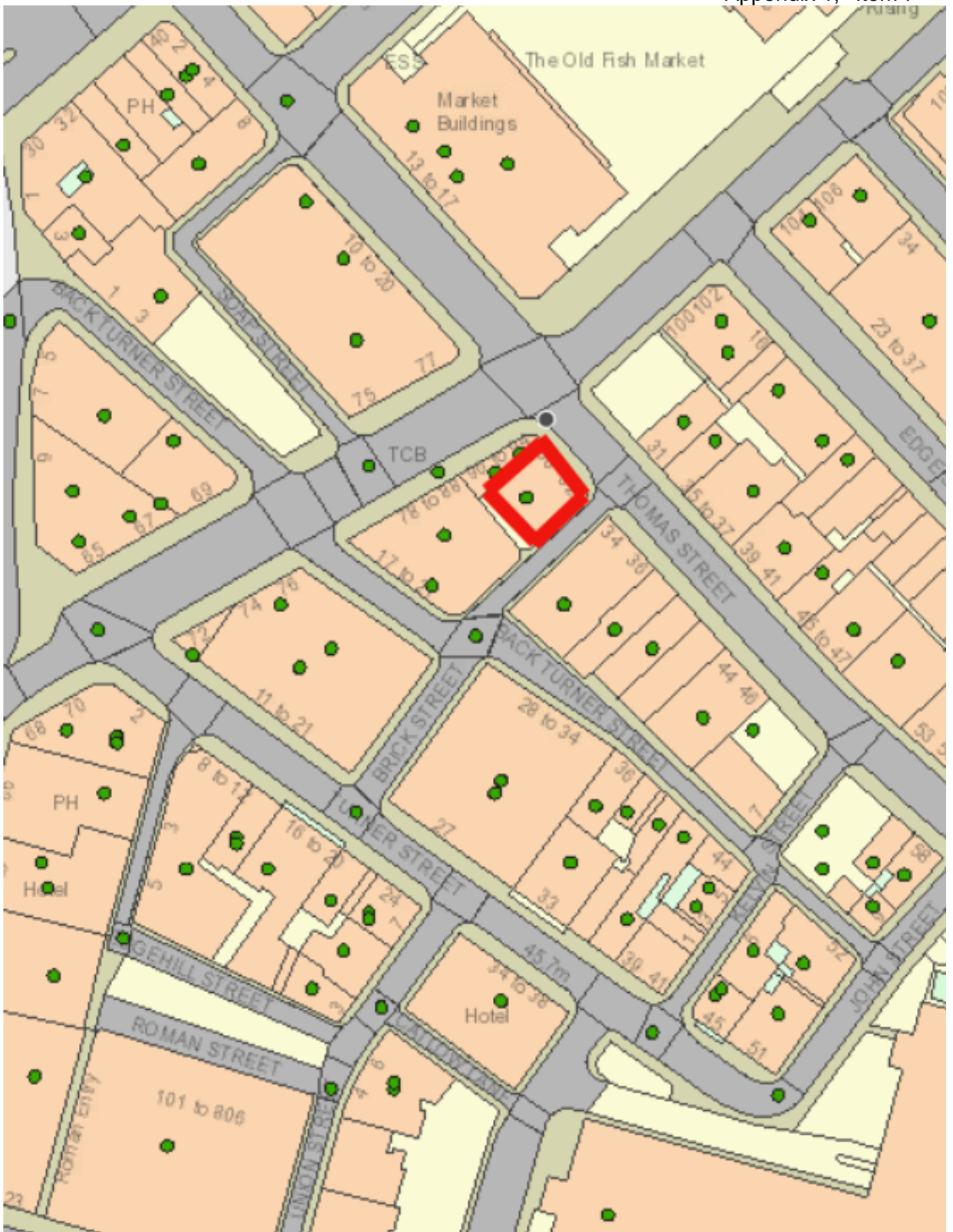
- the prevention of crime and disorder
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

6.3 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.

6.4 The Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:

- a) To grant the licence subject to the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate;
- b) To reject the whole or part of the application

- 6.5 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 6.6 However, conditions should not be imposed on a licence which are unrelated to the variation sought.
- 6.7 All licensing determinations should be considered on the individual merits of the application.
- 6.8 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 6.9 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 6.10 **The Panel is asked to determine the application.**



Wolf at the Door
30-32 Thomas Street, Manchester, M4 1ER

Premises Licensing
Manchester City Council

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PREMISE NAME: Wolf at the Door

PREMISE ADDRESS: 30-32 Thomas Street, Manchester, M4 1ER

WARD: Piccadilly

HEARING DATE: 02/03/2020



**LICENSING ACT 2003
PREMISES LICENCE**

Premises licence number	131899
Granted	16/11/2010
Latest version	Variation 230968 Granted 10/06/2019

Part 1 - Premises details

Name and address of premises
Wilderness Bar and Kitchen 30-32 Thomas Street, Manchester, M4 1ER
Telephone number
0161 204 7174

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

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0900	0900	0900	0900	0900	0900	0900
Finish	0030	0030	0030	0130	0200	0200	0030
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non standard Timings:							
New Year: From 0900 on New Year's Eve to the terminal hour on New Year's Day.							
On the day British Summer Time commences: one additional hour following the terminal hour.							

Exhibition of films							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0030	0030	0030	0130	0200	0200	0030
Licensed to take place indoors only.							
Seasonal variations and Non standard Timings:							
New Year From 10:00 on New Year's eve to the terminal hour on New Year's Day.							
On the day British Summer Time commences one additional hour following the terminal hour							

Live music							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0030	0030	0030	0130	0200	0200	0030
Licensed to take place indoors only.							
Seasonal variations and Non standard Timings:							
New Year From 10:00 on New Year's eve to the terminal hour on New Year's Day.							
On the day British Summer Time commences one additional hour following the terminal hour							

Recorded music							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0030	0030	0030	0130	0200	0200	0030
Licensed to take place indoors only.							
Seasonal variations and Non standard Timings:							
New Year: From 1000 on New Year's Eve to the terminal hour on New Year's Day.							
On the day British Summer Time commences: one additional hour following the terminal hour.							

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0030	0030	0030	0130	0200	0200	0030
Licensed to take place indoors only.							
Seasonal variations and Non standard Timings:							
New Year's Eve Start 2300 Finish 0500							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0900	0900	0900	0900	0900	0900	0900
Finish	0100	0100	0100	0200	0230	0230	0100
Seasonal variations and Non standard Timings:							
New Year: From 0900 on New Year's Eve to the terminal hour on New Year's Day.							
On the day British Summer Time commences: one additional hour following the terminal hour.							

Part 2

Details of premises licence holder	
Name:	Wilderness Trading Limited
Address:	82 The Greenhouse, Mediacityuk, Salford, M50 2EQ
Registered number:	11706455

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	Daniel Peter Morris
Address:	
Personal Licence number:	
Issuing Authority:	Manchester City Council

Annex 1 – Mandatory conditions

Door Supervisors

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

Supply of alcohol

2. No supply of alcohol may be made under this premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence or,
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
5.
 - (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
 - (2) For the purposes of the condition set out in (1) above–
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “permitted price” is the price found by applying the formula–

$$P = D + (D \times V)$$
 where –
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such

a licence;

- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
8. The responsible person must ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

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

Exhibition of films

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

Annex 2 – Conditions consistent with the operating schedule

1. The management and staff shall make regular checks of the toilet areas.
2. An effective and adequate alarm system, incorporating personal attack alarms for staff, shall be operated and maintained at the premises.
3. An adequate and effective procedure for use in emergencies shall be implemented at the premises.
4. The maximum number of patrons permitted inside the premises at any one time shall not exceed such figure as may time to time be agreed by the appropriate officer of the Fire Authority in writing.
5. Sufficient numbers and types of firefighting equipment shall be installed at the premises and shall be maintained and serviced on an annual basis.
6. An effective and adequate fire alarm system shall be operated and maintained at the premises and shall be inspected on an annual basis.
7. All doors at the premises shall operate on self-closing mechanisms.
8. Doors shall be kept closed except for access and egress.
9. A tamper proof noise-limiting device shall be fitted to the sound system within the premises, all amplified music played at the premises must pass through this sound limiter.
10. Notices shall be prominently displayed near all exits from the premises asking patrons to leave quietly with consideration for neighbours.
11. The licence holder shall ensure that noise shall not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. Any form of amplification shall be so controlled by the licensee so as to prevent such a disturbance.
12. The premises shall install and maintain an adequate ventilation system.
13. Persons under the age of 16 shall not be allowed on the premises, at any time that the premises are open to the public, unless the child is accompanied and supervised by a person over the age of 18.

Annex 3 – Conditions attached after a hearing by the licensing authority

1. Staff shall ensure that customers do not congregate outside the premises so as to cause a noise disturbance to nearby residents.
2. All windows and doors shall be closed when entertainment is taking place, except for access and egress.

3. The premises shall operate the Challenge 21 policy whereby any person attempting to buy alcohol who appears to be under 21 should be asked to produce appropriate ID – that being passport, photo driving licence or PASS accredited proof of age card.
4. All staff shall be trained with regards to the Challenge 21 policy and forms of acceptable ID and training to be recorded in writing. Training shall be repeated on a regular basis and written records kept.
5. The CCTV system shall be of a standard that is acceptable to the Crime Reduction Advisor at Bootle Street Police Station. All images will be retained for a minimum of 28 days and made available to an Agent of a Responsible Authority on request. CCTV shall be provided in the form of recordable system capable of providing images of evidential quality in all lighting conditions, particularly facial recognition. Cameras shall encompass all ingress and egress to the premises and all areas where the sale/supply of alcohol occurs. The recording equipment and tapes shall be kept in a secure environment under the control of the premises licence holder or other responsible named individual. There must be a member of management trained in the retrieval of CCTV footage, with the ability of downloading the relevant footage onto a disc or video, on request from the Police or relevant Authority.
6. A member of management shall attend the Pub and Club watch meetings, at least 6 per year.
7. Two SIA registered door supervisors will be employed each evening from 2000 hours when the premises trade after 0000.
8. A written record shall be kept on the premises by the Designated Premises Supervisor/Manager of every person employed on the premises as a Door Supervisor in a register kept for that purpose. That record shall contain the following details: -
 - a) the Door Supervisor's name, date of birth and home address
 - 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 an Authorised Officer of the Council, the Security Industry Authority or a Police Constable.

9. Management procedures to support staff in refusing service to persons who are drunk or seriously affected by alcohol shall be documented and staff made familiar with them.
10. A minimum of 1 person shall be employed at all times to ensure that glass and bottles are removed from tables and other parts of the premises, and that no build up of glass bottles or other articles that have or had contained alcohol or other drinks is allowed to occur.
11. No person who is drunk shall be allowed to remain on the premises.
12. Staff shall undergo staff training, all training be documented in relation to licensing legislation. This training should take place every 4 -6 months.
13. No person in possession of a drink in a sealed or unsealed container shall be allowed to enter the premises except for the purposes of delivery.
14. A notice or notices shall be displayed in and at the entrance to the premises where they can be clearly seen and read and shall indicate that it is unlawful for persons under 18 to purchase alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age.
15. Every incident of crime and disorder in the premises shall be recorded in an incident book and be made available for any person from a relevant authority that requests it. The incident book must be retained for 12 months from the date it commenced.
16. At any times the premises intends to show sporting events, hold an event that involves live music, or host any other event that is out of the normal remit of the premises including promotional events the DPS will complete and submit a risk assessment form 28 days prior to the event detailing how the event will be managed to the satisfaction of Greater Manchester Police.
17. A letter of authority should be in place when the Designated Premises Supervisor is not at the premises and be available for inspection by any person from a relevant authority.

18. The premises shall operate a method of communication between the council central watch (nite net radio / CCTV) and other licensed premises by way of radio link.
19. By way of dispersal policy the DPS or other person nominated in writing to be in charge shall:
 - a) provide local taxi numbers as displayed inside the premises
 - b) request that door supervisor's use their best endeavours to remind patrons to leave in a quiet and orderly manner.
20. All door supervisors who are engaged on door duties outside the premises shall wear high visibility armbands.
21. No children shall be permitted on the premises past 2000 hours each night the premises is open for licensable activities.
22. A dispersal policy shall be written for the premises, to the satisfaction of Greater Manchester Police and implemented at all times. A copy of the policy will form licensing conditions.
23. A plan of CCTV camera locations shall be given to the City Safe Office.
24. Persons identified as known trouble makers or persons with history of violence identified to management shall not be permitted to congregate inside the premises.
25. Two door supervisors shall be employed on weekends from 1930 hours until closing to control entry to the bar and to be responsible for monitoring patrons that eat or drink (in designated licensed area) or smoke outside the building.
26. One of these doormen shall be primarily responsible for controlling entry to the premises and shall monitor capacity levels by use of a clicker. The other doorman shall be responsible for monitoring the behaviour of any smokers who may be outside.
27. Both doormen shall be responsible for efficiently dispersing customers from the bar by:
 - a) making sure people leave the bar quietly;
 - b) making sure people leave quickly; and
 - c) making sure people do not loiter either around the bar or in the immediate vicinity.
28. Tables and chairs shall be brought inside by 2200 hours.
29. No customers shall be permitted to drink outside after 2200 hours.
30. Any customers drinking outside shall only be allowed plastic glassware and no bottles.
31. All customers must stand behind the rope barriers so as not to obstruct the highway.
32. Noise shall be kept to a minimum and any rowdy customers shall be requested to leave.
33. Signs asking people to leave quietly shall be clearly displayed in the windows, around the doorway and on the doors themselves.
34. The front doors shall be maintained in the closed position from 2300 hours.
35. The premises shall operate an arrangement with a private hire taxi firm whose telephone number will be prominently displayed within the premises for customers' use on the basis that such company will operate a ring back system and not sound horns when collecting their fare.
36. Consideration shall be given to staff departures. Staff shall be instructed to leave the premises quietly and to request that any waiting taxis do not leave their engines running or sound their horns whilst waiting.

Attached at hearing 10/06/2019

37. While live music takes place, the licensee or management shall undertake regular monitoring of noise levels at the nearest noise-sensitive locations. A record shall be kept of any monitoring; the name of the monitor; and any action taken. Records shall be kept for no less than six months and shall be made available upon request by a police officer or an authorised officer of Manchester Council.

Annex 4 – Plans

See attached plan 131899 V 230968

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

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

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

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

I/We Wilderness Trading Limited

(Insert name(s) of applicant)

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

Premises licence number 131899
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Wolf at the Door (formerly Wilderness), 30-32 Thomas Street			
Post town	Manchester	Postcode	M4 1ER

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£35,000

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	[REDACTED]		
Post town	Manchester	Postcode	[REDACTED]

Part 3 - Variation

Please tick as appropriate

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

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

DD	MM	YYYY

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

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

The purpose of this application is to:

1. Vary the layout of the premises in accordance with the plans submitted with this application;
2. Extend the hours for licensable activities to 01:00 Sunday to Wednesday and 03:00 Friday and Saturday;
3. Extend the hours for opening to 01:30 Sunday to Wednesday and 03:30 Friday and Saturday;
4. To amend/remove various conditions as follows:
 - a. Amend Condition 2 of Annex 2 to remove reference to personal attack alarms so that it reads as follows: 'An effective and adequate alarm system shall be operated and maintained at the premises'.
 - b. Remove Condition 7 of Annex 2.
 - c. Amend Condition 8 of Annex 2 so that it reads as follows: 'All windows and external doors shall be kept closed from 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.'
 - d. Remove Condition 7 of Annex 3.
 - e. Remove Part A of Condition 8 of Annex 3.
 - f. Remove Condition 10 of Annex 3.
 - g. Replace Condition 14 of Annex 3 so that it reads as follows: 'The premises shall display prominent signage indicating at any point of sale that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.'
 - h. Amend Condition 16 of Annex 3 to remove reference to submission of a risk assessment, so that it reads as follows: 'At any times the premises intends to show sporting events, hold an event that involves live music, or host any other event that is out of the normal remit of the premises including promotional events, the DPS will complete a risk assessment.'
 - i. Replace Condition 18 of Annex 3 so that it reads as follows: 'The Nitenet radio link shall be operated at all times the premises are open to the public. The radio shall be kept in good working order, operated by a responsible member of staff and used to report incidents of crime and disorder to the CCTV control room and other radio users.'
 - j. Replace Part A of Condition 19 of Annex 3 so that it reads as follows: 'provide details of a preferred taxi company on request.'
 - k. Remove Conditions 25 – 35 of Annex 3.
5. In light of the above, to add the following conditions:
 - a. 'On Fridays and Saturdays, a minimum of 1 Security Industry Authority SIA-licensed door supervisors shall be on duty from 22:00 at the entrance of the premises until closing. At any other times door supervisors shall be employed at a ratio of 1 door supervisor for every 100 customers.'

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

This application is lodged following discussion with the Licensing and Out of Hours Team.

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

Part 4 Operating Schedule

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

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day				Start	Finish
				Outdoors	<input type="checkbox"/>
Mon	11:00	01:00		Both	<input type="checkbox"/>
Tue	11:00	01:00		<u>Please give further details here</u> (please read guidance note 5)	
Wed	11:00	01:00		<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)	
Thur	11:00	01:30		<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)	
Fri	11:00	03:00	From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Sat	11:00	03:00	On the day that British Summer Time commences, one additional hour to disapply its effect.		
Sun	11:00	01:00			

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

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

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish	Both		<input type="checkbox"/>	
Mon	11:00	01:00	<u>Please give further details here</u> (please read guidance note 5)		
Tue	11:00	01:00			
Wed	11:00	01:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur	11:00	01:30			
Fri	11:00	03:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	11:00	03:00	From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Sun	11:00	01:00	On the day that British Summer Time commences, one additional hour to disapply its effect.		

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon	11:00	01:00	<u>Please give further details here</u> (please read guidance note 5)		
Tue	11:00	01:00			
Wed	11:00	01:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur	11:00	01:30			
Fri	11:00	03:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	11:00	03:00	From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Sun	11:00	01:00	On the day that British Summer Time commences, one additional hour to disapply its effect.		

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23:00	01:00	<u>Please give further details here</u> (please read guidance note 5)		
Tue	23:00	01:00			
Wed	23:00	01:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur	23:00	01:30			
Fri	23:00	03:00	<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 7) From the start time on New Year's Eve to the terminal hour for New Year's Day. On the day that British Summer Time commences, one additional hour to disapply its effect.		
Sat	23:00	03:00			
Sun	23:00	01:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon	09:00	01:00			
Tue	09:00	01:00			
Wed	09:00	01:00			
Thur	09:00	01:30	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	09:00	03:00	From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Sat	09:00	03:00	On the day that British Summer Time commences, one additional hour to disapply its effect.		
Sun	09:00	01:00			

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p> <p>n/a</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	09:00	01:30	
Tue	09:00	01:30	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7) From the start time on New Year's Eve to the terminal hour for New Year's Day. On the day that British Summer Time commences, one additional hour to disapply its effect.
Wed	09:00	01:30	
Thur	09:00	02:00	
Fri	09:00	03:30	
Sat	09:00	03:30	
Sun	09:00	01:30	

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

Please see conditions identified at Part 3 above.

Please tick as appropriate

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

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

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

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

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

Please see conditions attached to existing licence and additional conditions proposed at Part 3 above.

b) The prevention of crime and disorder

Please see conditions attached to existing licence and additional conditions proposed at Part 3 above.

c) Public safety

Please see conditions attached to existing licence and additional conditions proposed at Part 3 above.

d) The prevention of public nuisance

Please see conditions attached to existing licence and additional conditions proposed at Part 3 above.

e) The protection of children from harm

Please see conditions attached to existing licence and additional conditions proposed at Part 3 above.

Checklist:

Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 12)

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

Signature	Kuit Steinart Levy LLP
Date	17 January 2020
Capacity	Solicitors and Authorised Agents

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) Kuit Steinart Levy LLP, 3 St Mary’s Parsonage			
Post town	Manchester	Post code	[REDACTED]
Telephone number (if any)	[REDACTED]		

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

Notes for Guidance

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

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

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

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GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	PC Alan Isherwood
Address including postcode	Manchester Town Hall Extension Lloyd Street Manchester M2 5DB
Contact Email Address	alan.isherwood@gmp.police.uk
Contact Telephone Number	0161 856 6017

About the Premises

Application Reference No.	LPV 243149
Name of the Premises	Wolf at the Door
Address of the premises including postcode	30-32 Thomas Street, Manchester M4 1ER

Your Representation

Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the licence variation 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 application for a premises licence variation in relation to the above premises.

The grounds for the objection are the Prevention of Crime and Disorder, the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.

The applicant has applied to extend the hours of operation at the premises whilst removing a large number of conditions from the Premises Licence and replacing others with less robust conditions.

Thomas Street is a very challenging area within the night time economy and GMP are concerned that by increasing the hours and making the licence less robust will see incidents of violence and anti-social behaviour occur at the premises, which to date has not been an issue.

GMP have no issues with the extension to the hours but we certainly wouldn't want to see an increase in the hours as well as the removal and replacement of what we believe are good conditions.

We therefore ask that the application is refused.

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<p>Amend Condition 2 of Annex 2 to remove reference to personal attack alarms so that it reads as follows: 'An effective and adequate alarm system shall be operated and maintained at the premises'. <i>(Existing condition: An effective and adequate alarm system, incorporating personal attack alarms for staff, shall be operated and maintained at the premises.)</i></p> <p>Remove Condition 7 of Annex 2. <i>(Condition to be removed: All doors at the premises shall operate on self-closing mechanisms.)</i></p> <p>Amend Condition 8 of Annex 2 so that it reads as follows: 'All windows and external doors shall be kept closed from 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.' <i>(Existing condition: Doors shall be kept closed except for access and egress.)</i></p> <p>Remove Condition 7 of Annex 3. <i>(Condition to be removed: Two SIA registered door supervisors will be employed each evening from 2000 hours when the premises trade after 0000.)</i></p> <p>Remove Part A of Condition 8 of Annex 3. <i>(Part condition to be removed: the Door Supervisor's name, date of birth and home address)</i></p> <p>Remove Condition 10 of Annex 3. <i>(Condition to be removed: A minimum of 1 person shall be employed at all times to ensure that glass and bottles are removed from tables and other parts of the premises, and that no build up of glass bottles or other articles that have or had contained alcohol or other drinks is allowed to occur.)</i></p> <p>Replace Condition 14 of Annex 3 so that it reads as follows: 'The premises shall display prominent signage indicating at any point of sale that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.' <i>(Existing condition: A notice or notices shall be displayed in and at the entrance to the premises where they can be clearly seen and read and shall indicate that it is unlawful for persons under 18 to purchase alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age.)</i></p> <p>Amend Condition 16 of Annex 3 to remove reference to submission of a risk assessment, so that it reads as follows: 'At any times the premises intends to show sporting events, hold an event that involves live music, or host any other event that is out of the normal remit of the premises including promotional events, the DPS will complete a risk</p>	N/A	Applicant

Schedule of Licence Conditions

<p>assessment.’ <i>(Existing condition: At any times the premises intends to show sporting events, hold an event that involves live music, or host any other event that is out of the normal remit of the premises including promotional events the DPS will complete and submit a risk assessment form 28 days prior to the event detailing how the event will be managed to the satisfaction of Greater Manchester Police.)</i></p> <p>Replace Condition 18 of Annex 3 so that it reads as follows: ‘The Nitenet radio link shall be operated at all times the premises are open to the public. The radio shall be kept in good working order, operated by a responsible member of staff and used to report incidents of crime and disorder to the CCTV control room and other radio users.’ <i>(Existing condition: The premises shall operate a method of communication between the council central watch (nite net radio / CCTV) and other licensed premises by way of radio link.)</i></p> <p>Replace Part A of Condition 19 of Annex 3 so that it reads as follows: ‘provide details of a preferred taxi company on request.’ <i>(Existing part A of condition: provide local taxi numbers as displayed inside the premises)</i></p> <p>Remove Conditions 25 – 35 of Annex 3.</p> <p><i>Conditions to be removed:</i></p> <ol style="list-style-type: none"> 1. <i>Two door supervisors shall be employed on weekends from 1930 hours until closing to control entry to the bar and to be responsible for monitoring patrons that eat or drink (in designated licensed area) or smoke outside the building.</i> 2. <i>One of these doormen shall be primarily responsible for controlling entry to the premises and shall monitor capacity levels by use of a clicker. The other doorman shall be responsible for monitoring the behaviour of any smokers who may be outside.</i> 3. <i>Both doormen shall be responsible for efficiently dispersing customers from the bar by:</i> <ol style="list-style-type: none"> a) <i>making sure people leave the bar quietly;</i> b) <i>making sure people leave quickly; and</i> c) <i>making sure people do not loiter either around the bar or in the immediate vicinity.</i> 4. <i>Tables and chairs shall be brought inside by 2200 hours.</i> 5. <i>No customers shall be permitted to drink outside after 2200 hours.</i> 6. <i>Any customers drinking outside shall only be allowed plastic glassware and no bottles.</i> 7. <i>All customers must stand behind the rope barriers so as not to</i> 		
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Schedule of Licence Conditions

<p><i>obstruct the highway.</i></p> <p>8. <i>Noise shall be kept to a minimum and any rowdy customers shall be requested to leave.</i></p> <p>9. <i>Signs asking people to leave quietly shall be clearly displayed in the windows, around the doorway and on the doors themselves.</i></p> <p>10. <i>The front doors shall be maintained in the closed position from 2300 hours.</i></p> <p>11. <i>The premises shall operate an arrangement with a private hire taxi firm whose telephone number will be prominently displayed within the premises for customers' use on the basis that such company will operate a ring back system and not sound horns when collecting their fare.</i></p> <p><u>In light of the above, to add the following conditions:</u></p> <p>'On Fridays and Saturdays, a minimum of 1 Security Industry Authority SIA-licensed door supervisors shall be on duty from 22:00 at the entrance of the premises until closing. At any other times door supervisors shall be employed at a ratio of 1 door supervisor for every 100 customers.'</p> <p>'Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.'</p> <p>Steps to promote licensing objectives as given by the applicant</p> <p>Amendments to conditions as specified above, along with the remaining existing conditions on the licence.</p>		
Conditions proposed by objectors	Agreed	Proposed by
None – No objection to hours applied for but refuse amendment to conditions.	No	GMP

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Licensing Act 2003 (Hearings) Regulations 2005

Reference: 242016
Name: Chennai Dosa
Address: Ground Floor, 303-305 Palatine Road, Manchester, M22 4HH
Ward: Northenden
Application Type: Premises Licence (new)
Name of Applicant: Manchester CD Ltd
Date of application: 13/01/2020

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 regulated entertainment (recorded music):
Mon to Sun 9.30am to 10.30pm

The supply of alcohol for consumption on the premises only:
Mon to Sun 11am to 10.30pm

Opening hours:
Mon to Sun 9am to 11pm

Representations received

Greater Manchester Police	To refuse the application, as the applicant seems to have shown little understanding of the Licensing Objectives.
Trading Standards	Nothing was shown on the application on how the licensing objective "protection of children from harm" would be managed.

Agreements between parties

Greater Manchester Police:

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.
2. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:
 - (a) all crimes reported to the venue, or by the venue to the Police
 - (b) all ejections of patrons
 - (c) any incidents of disorder
 - (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.

Trading Standards:

1. The challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, a HM Forces warrant card or a card bearing the PASS hologram.
2. 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.
3. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales and maintain the refusals log.
4. A log shall be kept at the premises and record all refused sales of alcohol for the reasons that the person(s) is, or appear to be under 18 years of age. The log shall

record the date and time of 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 shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.

Note: Conditions 2 and 5 GMP / 3 and 4 Trading Standards are duplicated. Use GMP conditions as they are more robust.

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

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