



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 11 May 2020

Time: 10.00 am

Venue: **Dial:** 033 3113 3058      **Room number:** 36955346 #  
**PIN:** 8489 #

Everyone is welcome to attend this committee meeting.

**The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020**

Under the provisions of these regulations the location where a meeting is held can include reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers. This meeting is by way of a telephone conference. You can listen to the call as it takes place, the number of people able to listen to the live call is limited to 90.

## **Membership of the Licensing Sub Committee Hearing Panel**

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**Councillors** - Andrews, Hewitson and Lynch

## Agenda

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**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. New Premises Licence - Cabana Bar and Grill - determination** 5 - 8  
The determination papers are enclosed.

- 5. Premises Licence Variation - The New Union Hotel, Princess Street, Manchester, M1 6JB** 9 - 82  
The report of the Director of Planning, Building Control and Licensing is enclosed.

- 6. New Premises Licence - TBC, 23 Shudehill, Manchester, M4 2AF** 83 - 142  
The report of the Director of Planning, Building Control and Licensing is enclosed.

- 7. New Premises Licence - Northenden Social Club, 412 Palatine Road, Manchester, M22 4JT** 143 - 208  
The report of the Director of Planning, Building Control and Licensing is enclosed.

## Information about the Committee

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

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

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

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

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

Smoking is not allowed in Council buildings.

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

## Further Information

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

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This agenda was issued on **Thursday, 30 April 2020** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

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## Licensing Act 2003 (Hearings) Regulations 2005

**Reference:** 245271  
**Name:** Cabana Bar and Grill  
**Address:** 199-201 Wilmslow Road, Manchester, M14 5AQ  
**Ward:** Rusholme  
**Application Type:** Premises Licence (new)  
**Name of Applicant:** Nani Persion Ltd  
**Date of application:** 17 March 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 (live music; performances of dance - Indoors ):**

Sun to Thurs 6pm to midnight, Fri and Sat 6pm to 1am

#### **Provision of regulated entertainment (recorded music- indoors):**

Sun to Thurs noon to midnight, Fri and Sat noon to 1am

#### **Provision of late night refreshment: indoors**

Sun to Thurs 11pm to midnight, Fri and Sat 11pm to 1am

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

Sun to Thurs noon to midnight, Fri and Sat noon to 1am

#### **Opening hours:**

Sun to Thurs noon to midnight, Fri and Sat noon to 1am

## Representations received

Licensing & Out of Hours Compliance (LOOH)	<p>LOOH objected to the application based on the grounds that the area the premises is situated in suffers from high crime, street begging and anti-social behaviour.</p> <p>LOOH further state that the proposed business is situated in close proximity to residential premises.</p> <p>LOOH have proposed additional conditions to be attached to the licence, which have been agreed by the applicant.</p>
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## Agreements between parties

1. All public areas of the licensed premises, including all public entry and exit points, and the street environment will be covered, enabling facial Identification of every person entering in any light condition. The CCTV Cameras shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of [28] days with the date and time stamping.
2. 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 reasonable request by a police officer or an authorised officer of the licensing authority.
3. Any footage must be in a format that can be played back on a standard personal computer or standard DVD player.
4. At the end of trading each day, the pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept or washed, and litter and sweepings collected and stored in accordance with the approved waste storage arrangements.
5. All takeaway packaging and wrappers shall clearly identify the premises, ie. by way of company logo or name.
6. Deliveries to the premises shall be conducted in a manner that will not
7. Cause a nuisance to the occupiers of any residential properties surrounding the delivery address and deliveries shall be made at a time which will not lead to any public nuisance.
8. All employees will be vigilant and monitor the area immediately outside the shop to ensure that members of the public do not cause annoyance by congregating.
9. Licence holder shall ensure all licensing objectives are known to employees and followed.
10. The Premises Licence holder will operate a zero tolerance approach towards drunken and anti-social behaviour.

11. The Premises Licence holder will ensure that prominent, clear and legible notices are displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
12. The Premises Licence holder will ensure that no children under the age of 16 will be allowed on the premises after 20:00hrs unless accompanied by adult.
13. In addition to any other training, the premises licence holder shall ensure that all staff are trained to prevent underage sales, are aware of and prevent proxy sales, recognising signs of drunkenness & refusing the sale, complying with licence conditions, maintain the refusals log, and that they monitor staff to ensure their training is put into practice.
14. All training will be documented, signed and dated and refreshed at least every 6months, and will be made available to authorised officers upon request.
15. A log shall be kept at the premises to record all refused/ challenged sales of alcohol. The log shall record the date and time of the refusal/ challenge, reason for challenge/ refusal and the name of the member of staff dealing. 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.
16. The premises shall display prominent signage indicating at any point of sale that it is an offence to sell alcohol to anyone who is drunk.
17. All staff will be authorised to sell alcohol in writing and a record of the authorisation will be kept in the shop available for inspection.
18. A written recruitment procedure will be in place which includes the steps that will be taken by the licence holder to check the immigration status and the eligibility of an individual to work in the UK in accordance with the Home Office Guidance for employers on preventing illegal working in the UK.
19. The licence holder shall ensure that anyone who appears to be under 25 who attempts to purchase alcohol will be asked to prove their age by producing an acceptable form of photographic ID such as a passport, photo driving licence, military ID and PASS accredited proof of age cards.
20. A refusals register (for the sale of alcohol) will be kept and maintained and be made available for inspection by responsible authorities.
21. Notices shall be displayed in the premises where they can be seen clearly to advise customers that it is unlawful for persons under 18 to purchase alcohol or for any persons to purchase alcohol on behalf of a person under 18 years of age. A due diligence checklist (aimed at preventing any underage sales) will be kept and be available for inspection by responsible authorities.
22. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
23. The premises licence holder shall ensure that the provision of door supervisors at the premises is appropriate to ensure the safe control of the premises, and

shall review this on a regular basis and upon request from GMP.

**Background documents (available for public inspection):**

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Original application form
- Representations made against application and respective agreements



**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Sub Committee Hearing Panel – 11 May 2020

**Subject:** The New Union Hotel, Princess Street, Manchester, M1 6JB - App ref: Premises Licence variation 244120

**Report of:** Director of Planning, Building Control and Licensing

**Summary**

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

**Recommendations**

That the Committee determine the application.

**Ward 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

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**Financial Consequences – Revenue None**

**Financial Consequences – Capital None**

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**Contact Officers:**

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Name: Louise Dormer  
 Position: Technical Licensing Officer  
 Telephone: 0161 234 1460  
 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 12/03/2020, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of The New Union, New Union Hotel, Princess Street, Manchester, M1 6JB 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 Elaine Ramsbottom 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:  
to extend our operating hours from 11am - 4am to 11am – 6am on the Friday and Saturday only. No change on any other days
- 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 5**.

**4. Relevant Representations**

4.1 A total of 2 relevant representations were received in respect of the application (**Appendix 4**). 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;
- MCC Licensing and Out of Hours Compliance Team;

4.2 Summary of the representations:

Party	Grounds of representation	Recommends
<b>GMP</b>	Based around Prevention of Crime & Disorder, Prevention of Public Nuisance and Public Safety, GMP state that the area has one of the highest concentrations of assaults and disorder within the City Centre. GMP are concerned that by allowing this premises to remain open so late, especially at weekends, will attract an unruly element to the premises and cause issues.	Refuse
<b>Licensing and Out of Hours Compliance</b>	Based around the Public Nuisance licensing objective. LOOH have concerns that the grant of this application will lead to potential issues of public nuisance.	Refuse

4.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 5**.

## **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
MS8	Prevent noise nuisance from the premises

## **6. Conclusion**

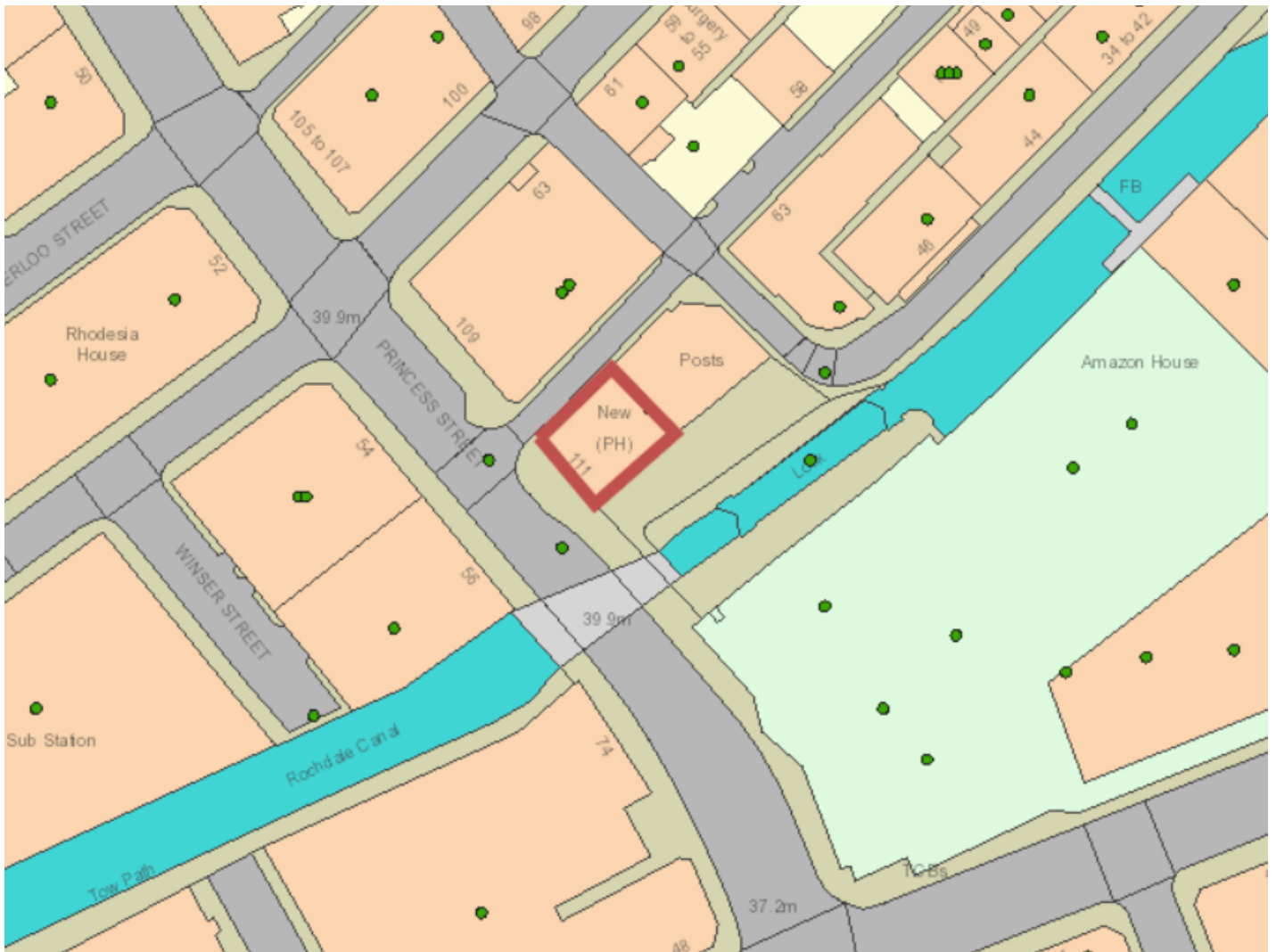
- 6.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 6.2 In considering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

what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.

6.8 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.

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





The New Union  
New Union Hotel, Princess Street, Manchester, M1  
6JB

Premises Licensing  
Manchester City Council

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<b>PREMISE NAME:</b>	The New Union
<b>PREMISE ADDRESS:</b>	New Union Hotel, Princess Street, Manchester, M1 6JB
<b>WARD:</b>	Piccadilly
<b>HEARING DATE:</b>	11/05/2020



**MANCHESTER**  
CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

<b>Premises licence number</b>	<b>050378</b>
<b>Granted</b>	<b>23/09/2005</b>

### Part 1 - Premises details

<b>Name and address of premises</b>	
The New Union The New Union, 111 Princess Street, Central	
<b>Post town</b>	<b>Post code</b>
Manchester	M1 6JB
<b>Telephone number</b>	0161 228 1492

### Licensable activities authorised by the licence

1. The sale by retail of alcohol\*.
2. The provision of regulated entertainment (limited to: live music, recorded music; performances of dance; anything similar to live music, recorded music or the performance of dance; provision of facilities for making music; provision of facilities for dancing; and provision of facilities for entertainment of a similar description to making music or dancing).
3. The provision of late night refreshment.

**Permitted Occupancy: 400 persons (Ground Floor only)**

\* All references in this licence to "sale of alcohol" are to sale by retail.

<b>The times the licence authorises the carrying out of licensable activities</b>
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<b>Sale by retail of alcohol</b>
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Standard Timings	Seasonal variations
	None
Monday: Start 1100 Finish 0400	<b>On/off sales</b>
Tuesday: Start 1100 Finish 0400	The sale of alcohol is licensed for consumption both on and off the premises.
Wednesday: Start 1100 Finish 0400	<b>Further details</b>
Thursday: Start 1100 Finish 0400	On any day where music and dancing is not provided after midnight the sale of alcohol shall end at midnight.
Friday: Start 1100 Finish 0400	On any day where music and dancing end between midnight and the terminal hour for the sale of alcohol, the sale of alcohol shall end when the music and dancing end.
Saturday: Start 1100 Finish 0400	
Sunday: Start 1100 Finish 0400	
<b>Non-Standard Timings</b>	
<u>New Year's Eve / New Year's Day:</u>	
Start: 1100 New Year's Eve Finish: 0400 New Year's Day.	

<b>Live music</b>
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Standard Timings	Seasonal variations
	None.
Monday: Start 1100 Finish 0400	<b>Indoors/outdoors</b>
Tuesday: Start 1100 Finish 0400	This activity is licensed to take place indoors only.
Wednesday: Start 1100 Finish 0400	<b>Further details</b>
Thursday: Start 1100 Finish 0400	None.
Friday: Start 1100 Finish 0400	
Saturday: Start 1100 Finish 0400	
Sunday: Start 1100 Finish 0400	
<b>Non-Standard Timings</b>	
<u>New Year's Eve / New Year's Day:</u>	
Start: 1100 New Year's Eve Finish: 0400 New Year's Day.	

<b>Recorded music</b>
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Standard Timings	Seasonal variations
	None
Monday: Start 1100 Finish 0400	<b>Indoors/outdoors</b>
Tuesday: Start 1100 Finish 0400	This activity is licensed to take place indoors only.
Wednesday: Start 1100 Finish 0400	<b>Further details</b>
Thursday: Start 1100 Finish 0400	None
Friday: Start 1100 Finish 0400	
Saturday: Start 1100 Finish 0400	
Sunday: Start 1100 Finish 0400	
<b>Non-Standard Timings</b>	
<u>New Year's Eve / New Year's Day:</u>	
Start: 1100 New Year's Eve Finish: 0400 New Year's Day.	

<b>Performances of dance</b>		
<b>Standard Timings</b>		<b>Seasonal variations</b>
Monday:	Start 1100	Finish 0400
Tuesday:	Start 1100	Finish 0400
Wednesday:	Start 1100	Finish 0400
Thursday:	Start 1100	Finish 0400
Friday:	Start 1100	Finish 0400
Saturday:	Start 1100	Finish 0400
Sunday:	Start 1100	Finish 0400
		None
		<b>Indoors/outdoors</b>
		This activity is licensed to take place indoors only.
		<b>Further details</b>
		The performances of striptease are subject to conditions 112-119 in Annex 2.
		<b>Note:</b> Performances of striptease shall only take place between 2200 and 0000 hours.
<b>Non-Standard Timings</b>		
<u>New Year's Eve / New Year's Day:</u>		
<u>Start:</u> 1100 New Year's Eve <u>Finish:</u> 0400 New Year's Day.		

<b>Anything of a similar description to live music, recorded music and the performances of dance</b>		
<b>Standard Timings</b>		<b>Seasonal variations</b>
Monday:	Start 1100	Finish 0400
Tuesday:	Start 1100	Finish 0400
Wednesday:	Start 1100	Finish 0400
Thursday:	Start 1100	Finish 0400
Friday:	Start 1100	Finish 0400
Saturday:	Start 1100	Finish 0400
Sunday:	Start 1100	Finish 0400
		None
		<b>Indoors/outdoors</b>
		This activity is licensed to take place indoors only.
		<b>Further details</b>
		None
<b>Non-Standard Timings</b>		
<u>New Year's Eve / New Year's Day:</u>		
<u>Start:</u> 1100 New Year's Eve <u>Finish:</u> 0400 New Year's Day.		

<b>Provision of entertainment facilities for making music</b>		
<b>Standard Timings</b>		<b>Seasonal variations</b>
Monday:	Start 1100	Finish 0400
Tuesday:	Start 1100	Finish 0400
Wednesday:	Start 1100	Finish 0400
Thursday:	Start 1100	Finish 0400
Friday:	Start 1100	Finish 0400
Saturday:	Start 1100	Finish 0400
Sunday:	Start 1100	Finish 0400
		None
		<b>Indoors/outdoors</b>
		This activity is licensed to take place indoors only.
		<b>Further details</b>
		None
<b>Non-Standard Timings</b>		
<u>New Year's Eve / New Year's Day:</u>		
<u>Start:</u> 1100 New Year's Eve <u>Finish:</u> 0400 New Year's Day.		

<b>Provision of facilities for dancing</b>		
<b>Standard Timings</b>		<b>Seasonal variations</b>
Monday:	Start 1100	Finish 0400
Tuesday:	Start 1100	Finish 0400
Wednesday:	Start 1100	Finish 0400
Thursday:	Start 1100	Finish 0400
Friday:	Start 1100	Finish 0400
Saturday:	Start 1100	Finish 0400
Sunday:	Start 1100	Finish 0400
		None
		<b>Indoors/outdoors</b>
		This activity is licensed to take place indoors only.
		<b>Further details</b>
		None
<b>Non-Standard Timings</b>		
<u>New Year's Eve / New Year's Day:</u>		
Start: 1100 New Year's Eve      Finish: 0400 New Year's Day.		

<b>Provision of facilities for entertainment of a similar description to making music or dancing</b>		
<b>Standard Timings</b>		<b>Seasonal variations</b>
Monday:	Start 1100	Finish 0400
Tuesday:	Start 1100	Finish 0400
Wednesday:	Start 1100	Finish 0400
Thursday:	Start 1100	Finish 0400
Friday:	Start 1100	Finish 0400
Saturday:	Start 1100	Finish 0400
Sunday:	Start 1100	Finish 0400
		None
		<b>Indoors/outdoors</b>
		This activity is licensed to take place indoors only.
		<b>Further details</b>
		None
<b>Non-Standard Timings</b>		
<u>New Year's Eve / New Year's Day:</u>		
Start: 1100 New Year's Eve      Finish: 0400 New Year's Day.		

<b>Provision of late night refreshment</b>		
<b>Standard Timings</b>		<b>Seasonal variations</b>
Monday:	Start 2300	Finish 0400
Tuesday:	Start 2300	Finish 0400
Wednesday:	Start 2300	Finish 0400
Thursday:	Start 2300	Finish 0400
Friday:	Start 2300	Finish 0400
Saturday:	Start 2300	Finish 0400
Sunday:	Start 2300	Finish 0400
		None
		<b>Indoors/outdoors</b>
		This activity is licensed to take place indoors only.
		<b>Further details</b>
		None
<b>Non-Standard Timings</b>		
<u>New Year's Eve:</u>		
Start: 2300      Finish 0500		

<b>Hours premises are open to the public</b>		
<b>Standard timings</b>		<b>Seasonal variations</b>
Monday:	Start 1100	Finish 0400
Tuesday:	Start 1100	Finish 0400
Wednesday:	Start 1100	Finish 0400
Thursday:	Start 1100	Finish 0400
Friday:	Start 1100	Finish 0400
Saturday:	Start 1100	Finish 0400
Sunday:	Start 1100	Finish 0400
		<b>Non standard timings</b>
		Not applicable.
<b>Non-Standard Timings</b>		
New Year's Eve / New Year's Day:		
Start: 1100 New Year's Eve      Finish: 0400 New Year's Day.		

## Part 2

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence</b>
Ms Elaine Ramsbottom [REDACTED] [REDACTED]
<b>Registered number of holder, for example company number, charity number (where applicable)</b>
<b>Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol</b>
Ms Elaine Ramsbottom, [REDACTED] [REDACTED]
<b>Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol</b>
Personal licence number: 036477 Issuing Authority: Salford City Council

## Annex 1 – Mandatory conditions

### Door Supervisors

Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: -

- a) Unauthorized access or occupation (e.g. through door supervision),
- b) Outbreaks of disorder, or
- c) Damage

### Supply of alcohol

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

Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

## Annex 2 – Conditions consistent with the operating schedule

1. The above time restrictions in relation to the hours for the sale of alcohol do not prohibit:
  - a) During the first thirty minutes after the above hours the consumption of the alcohol on the premises if the sale of alcohol is permitted beyond 2300 (2230 on a Sunday);
  - b) During the first twenty minutes after the above hours the consumption of the alcohol on the premises if the sale of alcohol is not permitted beyond 2300 (2230 on a Sunday);
  - c) During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
  - d) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption ancillary to the meals if the sale of alcohol is not permitted beyond 2300 (2230 on a Sunday);
  - e) Consumption of the alcohol on the premises by, or the taking or sale or supply of alcohol to any person residing in the licensed premises;
  - f) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
  - g) The sale of alcohol to a trader or club for the purposes of the trade or club;
  - h) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
  - i) The taking of alcohol from the premises by a person residing there; or



- j) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

2. The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment;
3. On any day where music and dancing is not provided after midnight the sale of alcohol shall end at midnight
4. On any day where music and dancing end between midnight and the terminal hour for the sale of alcohol, the sale of alcohol shall end when the music and dancing end

#### CHARGE OF THE PREMISES

5. The Licensee, or some responsible person over the age of 21 years, nominated by the Licensee in writing, shall be in charge and be present upon the licensed premises during the whole of the time that they are open for the purpose of this licence.
6. The Licensee shall inform the Council immediately in writing of any such nomination.
7. The Licensee shall ensure that a notice is conspicuously displayed at the entrance of the premises indicating the maximum number of persons allowed entry under the conditions of the licence.

#### ATTENDANTS

8. All employees and attendants shall have allotted to them specific duties in the event of emergency and particulars of such duties shall be notified to them in writing.
9. The fire fighting equipment shall be in the charge of a person who has been trained in its use, and that person, or some other suitable person deputed to be in charge of the fire fighting equipment, shall be present whenever the premises are in use for the purpose of this licence, and also for such period before and after the use of the premises, as may be necessary to check that the fire fighting equipment is in order.
10. The staff should be instructed and trained in fire routines including evacuation procedures.
11. Fire routines and evacuation procedures should be exercised at least once every calendar month and the holding of such event shall be recorded in a log book kept solely for that purpose and signed by the Licensee. The log book must be kept available at all times for inspection by a duly authorised Officer of the Council.

#### CONDUCT OF THE PREMISES

12. The Licensee shall maintain good order in the premises.
13. The Licence holder shall ensure that noise shall not emanate from the Licensed 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.
14. The Licence holder shall at all times ensure that persons on or leaving the licensed premises conduct themselves in an orderly manner and do not in any way cause annoyance to residents and/or persons passing by.
15. The licence holder shall take all reasonable steps to ensure that persons leaving licensed premises and using adjacent car parks and highways do not conduct themselves in a manner so as to cause annoyance to residents and/or persons passing by.
16. Whilst the premises are being used for public entertainment, drunkenness or other disorderly conduct shall not be permitted. In case any disorderly conduct should occur, the Licensee shall assist in the capture, expulsion and conviction of the offender.
17. In circumstances deemed appropriate the Council may impose a condition that the licence holder shall not permit any person to be admitted to the premises after a specific hour on various days of the week.

18. Nothing shall be done, recited, sung exhibited, or performed, and no dancing shall be permitted which is licentious, indecent, profane, improper or of a suggestive nature, or is likely to cause a breach of the peace (for the avoidance of doubt this condition prohibits the performance of strip-tease or similar dancing).
19. Drunkenness or other disorderly conduct shall not be permitted nor shall reputed prostitutes, thieves or other persons of notoriously bad character be knowingly allowed to forgather and assemble on the said licensed premises.
20. No unlawful gaming or betting shall be allowed on the said licensed premises.
21. No exhibition, demonstration or performance of hypnotism shall be given on any person at the premises except with the express consent of the City Council and in accordance with any conditions attached to such consent.
22. Application for consent shall be made, and a detailed description of the proposed exhibition furnished, to the Chief Executive's Licensing Unit, not less than twenty-one days before the day on which the exhibition is to be given and notice of such a application shall immediately be given to the Chief Officer of Police.
23. No entertainments likely to present special risks shall be presented unless prior consent in writing has been given by the Council.
24. The foregoing condition includes the use of:

Flammable or explosive substance  
 Pyrotechnics  
 Laser beams  
 Naked flame  
 Dangerous animals

25. No person shall be refused admission to the premises on the grounds of sex, sexual orientation, colour, race, religion or ethnic or national origin.
26. No glassware in the form of open bottles or glassware must be taken in or off the premises.
27. Licensees, when doorstaff are in attendance, must ensure that all glassware is removed from patrons entering or leaving the licensed area and subsequently safely disposed of.
28. Licensees, when doorstaff are not in attendance, must ensure that secure receptacles are provided at all entrances and exits for glassware to be deposited by patrons entering or leaving the licensed area.
29. Licensees must display prominent notices advising patrons of this condition.

#### DOOR SUPERVISORS

30. Where the Licensee or his employer engages any persons at or about the entertainment premises in the capacity of security staff the Licensee shall maintain a log in a form approved by the Council, showing in respect of each period of duty of that person:
  - i. the name, date of birth and residential address of that person.
  - ii. the time at which he / she commenced that period of duty with a signed acknowledgement by that person.
  - iii. the time at which he / she finished the period of duty with a signed acknowledgement by that person.
  - iv. any times during the period of duty when he / she was not on duty.
  - v. if that person is not an employee of the Licensee or his / her employer, the name of the person by whom that security person is employed or through whom the services of that person were engaged.
31. The log shall be so kept that it can be readily inspected at any reasonable time by an authorised Officer of the Council or a Police Officer and, once a log has been completed, it must be retained on the premises for at least 12 months.
32. A Licensee, when requested, shall identify by name those persons employed by him to a Police Officer or other authorised Officer.

33. The Licensee shall ensure all security staff are given adequate oral and written instruction.

#### FIRE PRECAUTIONS

34. The licensed premises shall be provided with an adequate number of exits clearly indicated and so placed and maintained so as to readily afford the audience ample means of safe egress.
35. The means of ingress and egress and the passages and gangways are to be kept clear and unobstructed during the whole time that the licensed premises are used for the purpose of this licence.
36. Emergency doors must not be fitted with any securing device other than an approved type of panic bolt fitting. This must be so maintained that horizontal pressure on the cross bars, which must be placed at a height of 900mm measured from the bottom of the door, will open the door(s)
37. Doors not in normal use, which are regarded as emergency exits, should be fitted with an alarm which is activated when they are opened. The alarm should be inaudible in public areas and should sound in an area permanently manned by management/staff whilst the premises are occupied. Also, the alarms must be distinguishable from any fire alarm within.
38. The legend, in block letters, not less than 100mm in height "PUSH BAR TO OPEN" must be displayed on every emergency door.
39. Doors and openings other than exits must be suitably and clearly marked "PRIVATE", or have notices fixed on or over them indicating the use of portions of the premises to which they give access.
40. Security shutters which are fitted on the outside of entrances and exit doors must be fitted with a suitable locking mechanism to enable the shutters to be locked in the open position whilst the public are present and which will prevent the shutters being either accidentally or deliberately closed whilst persons are on the premises, thereby rendering the exit door unusable. A suit-able warning notice to that effect must be displayed.
41. All interior and exterior passages, gangways, staircases and steps leading to exits must be adequately lit whenever the premises are in use for the purposes of this licence.
42. Unless the Council otherwise agrees in writing, adequate and suitable emergency lighting must be provided in the premises and maintained to the satisfaction of the City Architect and must be illuminated whenever the premises are in use for the purpose of this licence.
43. Notices giving instructions on how to call the Greater Manchester County Fire Service must be prominently displayed adjacent to any commercial telephones in the premises.
44. Any outbreaks of fire, however small, must be reported immediately to the Greater Manchester County Fire Service.
45. An adequate number of suitable and efficient fire fighting appliances shall be installed and maintained in the said licensed premises to the satisfaction of the City Architect and a record of such maintenance is to be attached or fixed to each appliance.
46. Storage of necessary combustible material shall be in a locked fire resistant enclosure in such a position as may be approved by the City Architect.
47. If it appears to the inspecting Officers that the use of a product, material, fabric or finish might assist the spread of fire in the premises, then the City Council may require such product, material fabric or finish to be replaced or to be treated in such a manner as to reduce this risk.
48. No drapery or scenery other than permanent curtains and drapery of heavy and not readily flammable materials shall be permitted. Any other curtain or drapery material shall be rendered fire resistant.
49. No decorations, artificial flowers or similar displays of a combustible or flammable nature shall be provided on the premises without the written consent of the City Council.
50. The Licensee shall ensure that at no time in any part of the premises there be allowed real flame whether part of the entertainment or not unless prior consent in writing has been given by the Council. This rule shall not prohibit approved heating or lighting installations or smoking provided that suitable precautions have been taken against the

risk of fire.

51. Except with the consent of the City Council explosives, toxic, hazardous or highly flammable substances (including liquid petroleum gas) shall not be brought onto or used on the premises.
52. Whenever possible, upholstered furniture shall be covered in a suitably flameproof fabric whether the furniture is new or by way of replacement or repair.
53. All stoves, open fires, and other heating appliances shall form an integral part of the structure and shall be efficiently and effectively fixed and guarded. On no account shall any type of portable heating appliances be introduced onto the premises.

#### MAINTENANCE

54. All mats or other floor coverings, where used, shall be secured so as not to be in any way liable to rucking or a source of danger to persons using the premises and any drapings used in the auditorium shall be so hung as to prevent trailing on the floor.
55. On all steps and staircases the edges of the tread must be clearly defined so as to be conspicuous.
56. All parts of the premises and all fittings and apparatus therein, including seating, door fastenings and notices, and the lighting, heating, electrical and other installations must be maintained at all times in good order and condition to the satisfaction of the Council.
57. The hanging of curtains over doorways shall be permitted provided that such curtains:
  - i. be made to part at the centre while being secured at their sides.
  - ii. hang clear of the floor by at least 50mm and be easily movable on their fittings.
  - iii. be of a material which is not readily combustible, and be so hung as not to conceal any notices indicating the purpose of the door.
58. The arrangements for ventilation in all parts of the premises shall be maintained at all times in good order and condition .
59. All damaged or defective furniture shall be replaced immediately or taken out of use and stored in an area to which the public do not have access.

#### GENERAL

##### Powers of Entry

60. A duly authorised officer of the City Council, a Police Constable or a member of the Greater Manchester Council Fire Service shall, at all times, have free access to the premises for the purpose of ensuring compliance of the conditions of this licence.

##### Inspection of Premises

61. Accompanied by a representative of the City Architect, an appropriately qualified representative of the Licensee must, not less than every five years, or at such times as when decoration takes place, carry out an inspection and examination of the building and every place used for the purpose of the licence and shall report in writing to the City Architect as to the suitability of the premises within 7 days of the date of the inspection.

##### Electrical Installation

62. The electrical installations must comply with any applicable rules and regulations affecting the use of electricity for the time being in force. All electrical installation shall be inspected once a year by one of the following: (a) a chartered electrical engineer; or (b) a member of the Electrical Contractor's Association; or (c) a certificate holder of the National Inspection Council for Electrical Installation Contracting; or (d) the local Electricity Board appointed by or on behalf of the Licensee of the premises.
63. A certificate, on the prescribed form, stating the condition of the general electrical and emergency lighting installations installed at the premises shall be forwarded to the Chief Executive's Licensing Unit, forming part of the application submission. Such certification shall relate to an inspection of the installation carried out not more than 8 weeks before the expiry of the current licence.

##### Alterations

64. Alterations or additions, either permanent or temporary, to the structure, lighting, heating or other installations or to be the approved seating gangways or any other arrangements

in the premises must not be made except with the prior written approval of the City Council.

65. Any material used as a wall or ceiling lining or as a suspended ceiling shall be to the Council's satisfaction and shall be fixed or supported in such a manner as may be approved by the Council.

#### Seating

66. The manner in which seating in the premises shall be arranged and, if chairs and other separate seats are used, the manner in which these shall be secured to the floor or to each other if necessary, and the minimum distance to be allowed between rows of seats shall, at all times, be to the satisfaction of the City Architect.
67. In all such premises where it is deemed necessary by the City Architect in writing a diagrammatic plan showing clearly the escape routes and the seating pattern shall be publicly displayed.

#### Stairways

68. Where practicable, continuous and uninterrupted hand-rails to all staircases must be fixed at a height above the nosings of the steps of 840mm, these handrails must not project more than 75mm over the width of the stairway.
69. The open side of any staircase must be protected with a securely fixed balustrade, railing or wall extending to a minimum height of 1.1m above the nosings of the steps in addition to the provision of a handrail at the required height of 840mm.
70. Any spaces contained between the embers forming the balustrade or railing shall not exceed 125mm.

#### Sanitary Provision

71. Sanitary accommodation with adequate appliances and appropriate water supply must be provided appropriate to the capacity of the premises and in accordance with the statutory scales of provision and be maintained at all times in good order and condition.

#### Cooking of Food

72. Appliances for cooking must only be installed in rooms or enclosures specially approved by the Council and suitable arrangements must be made for the proper discharge of products of combustion and cooking fumes without nuisance into the open air.

#### Change of Name of Premises

73. If the name of the premises or establishment is changed, the Licensee shall, within seven days of such a change, give notice thereof to the City Council in writing.

#### Miscellaneous

74. The Licensee, that is the person in whose name the licence is granted, shall be fully and totally responsible for the carrying out of each and every one of these terms and conditions and the safety of persons and employees on the premises in the event of an emergency.

#### Special Conditions

75. Permitted Occupancy: 400 persons ground floor only
76. All external windows and doors at the premises are to be kept closed after 2300 hours except for access and egress. The fire doors that exits onto Richmond Street must be kept closed at all times except for emergencies.
77. No externally mounted speakers.

#### General Conditions

78. There shall be a written strategy for responding to incidents of crime and disorder within the premises. All management and staff will be provided with suitable and adequate training regarding this policy.
79. The licence holder shall undertake written risk assessments to ensure that events which require door supervisors are identified and an appropriate number of SIA registered Door Supervisors will be employed at these events.
80. The licence holder will liaise with the Crime Reduction Officer and City Centre Safe Team within a reasonable period of time after issue of this licence with regards to reducing crime and disorder and ensuring public safety within the premises and act on any recommendation promptly.

81. The licence holder will liaise with Greater Manchester Fire Service within a reasonable period of time after issue of this licence with regards to Fire Safety Standards within the premises and act on any recommendation promptly.
82. The premises licence holder shall become a member of, and maintain its membership of, the local Pub Watch Scheme and local area partnerships where available.
83. The premises licence holder shall monitor information from local Pub Watch or Club Watch scheme and local area partnerships and act on such information as necessary.
84. The management shall conduct an ongoing risk assessment in relation to the search policy operated at the premises and if necessary an effective search policy shall be implemented to ensure that drugs and offensive weapons are not brought onto the premises by patrons.
85. Any person found using drugs will be removed from the premises. Any person found to be dealing drugs will be detained and the police informed immediately. Drugs seized will be handed over to the police.
86. Known offenders or drug dealers will not be permitted on the licensed premises. Information regarding known offenders/drug dealers will be shared with other licensed premises within the area.
87. All management and staff shall be provided with suitable and adequate training in issues regarding drug awareness including and reducing the risks of the spiking of drinks.
88. All staff and management shall be provided with adequate and suitable training to enable them to identify customers who have consumed excessive alcohol and deal with incidents of disorder within the premises.
89. Management & staff shall ensure that persons who have consumed excessive alcohol shall not be permitted entry to the premises.
90. Management & staff shall encourage patrons leaving the premises to do so in a quiet manner with respect for local residents.
91. Management and staff shall ensure patrons are supervised in all parts of the premises.
92. Management and staff shall ensure that all exits are regularly checked to ensure that they are not obstructed and function satisfactorily. CCTV shall be used to monitor exits from the premises if necessary.
93. The management and staff will ensure that the premises and the area immediately abutting the frontage of the premises is kept free from litter.
94. The management and staff will ensure that glasses are collected regularly. Regular inspections for broken glass will be made by staff and any broken glass found will be cleared away immediately by staff.
95. Public liability insurance shall be maintained for the premises.
96. A safety plan shall be implemented that shall include fire safety and maintenance inspections.
97. Fire fighting equipment shall be maintained and serviced according to the manufacturers instructions.
98. Outdoor bottle banks will be kept secure.
99. All bins used at the premises shall be vermin proof.
100. There shall be a supply of adequately prominently positioned litter bins. Litter bins will be clearly signposted and emptied on a regular basis.
101. The management and staff shall ensure that the premises and the area immediately surrounding the exterior of the premises are cleaned on a regular basis and remain free from debris and litter.
102. Refuse shall be regularly removed from the premises in a manner so as not to cause unreasonable disturbance to local residents.
103. Noise or vibration will not emanate from the premises so as to cause a nuisance to nearby properties.
104. Sufficient extraction and ventilation systems shall be installed and maintained at the premises. Any extraction and ventilation systems operating from the premises must not produce noise so as to unreasonably disturb local residents.
105. An evacuation procedure which includes emergency exit from the premises by disabled

customers shall be implemented at the premises and all staff shall be fully briefed in the procedure.

106. All staff shall be trained in how to respond to emergency situations.
107. Emergency exits will remain unlocked and free from obstruction, both inside and outside, at all times.
108. Staff will be provided with comprehensive, ongoing training to make the aware of all legislation relevant to their employment.
109. Prominent, clear and legible notices shall be displayed throughout the premises advising customers on the laws relating to children and alcohol and the purchasing of alcohol on behalf of children.
110. Anyone who appears to be under the age of 21 and who is attempting to purchase alcohol must be required to produce satisfactory "proof of age" that they are over the age of 18 before such sale is made, such identification must comply with the PASS accreditation system.
111. All members of management and staff will be provided with adequate training to identify acceptable forms of identification to be requested from any person who appears to be under the age of 18 attempting to purchase alcohol. Suitable identification includes photographic proof of age such as passport, photo card driving licence or citizen card.

#### **Conditions in relation to the performance of striptease**

112. Striptease entertainment shall be given only by the performers and no audience participation shall be permitted.
113. Performances will take place only in designated areas approved by the council and arrangement for private access to the dressing room shall be maintained at all times whilst striptease is taking place and immediately thereafter.
114. Whilst striptease is taking place, no person under 18 shall be permitted to remain on the licensed premises and a clear notice shall be displayed at the entrance to the premises, in a prominent position, so that it can be easily read by persons entering the premises on the following terms " NO PERSONS UNDER 18 TO BE ADMITTED".
115. There shall be no physical contact between the customer and performer before during or after the performance. Notices outlining this shall be clearly displayed at the entrance to the premises and at each bar.
116. Performers shall be aged not less than 18 years.
117. There will be no displays of signage outside the premises or photographs or other images which indicate and suggest that striptease is taking place on the premises.
118. There shall be at least two door supervisors on the premises when performances of striptease take place.
119. Performances of striptease shall only take place between 2200 and 0000 hours.

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

1. Signage to be placed in prominent positions asking people to leave quietly respecting the neighbours.
2. There will be no disposal of glassware between the hours of 00.00hrs and 07.00hrs, Monday to Sunday.
3. The applicant will continue to participate in the Night Net system.
4. All doors and windows to be closed during all regulated entertainment except for access and egress.
5. All music to go through the noise limiter, which is to be tamper proof and set to an agreed level with the Environmental Health Officer.
6. Inaudibility monitoring to take place at the nearest residential point.
7. Regular meetings with residents to be held, the minutes of which are to be copied to the Licensing Unit.

8. CCTV to be stored for 28 days.
9. All door staff to be registered with the SIA.
10. An SIA door register to be kept on the premises.
11. No persons under the age of 18 shall be allowed on the premises.
12. The premises licence holder shall attend at Pub and Clubwatch meetings a minimum of 6 times per year.

#### **Annex 4 – Plans**

See attached.

#### **Issued by**

**The Licensing Unit,  
Regulatory & Enforcement Services  
Manchester City Council  
Room 1012, Town Hall Extension  
Manchester M60 2LA.**







**MANCHESTER  
CITY COUNCIL**

**Send completed application form to:**  
Premises Licensing  
Manchester City Council  
Level 2 Town Hall Extension  
Albert Square  
PO Box 532, M60 2LA

**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.

RECEIVED  
11 FEB 2020  
PREMISES TEAM

I/We ELAINE RAMSBOTTOM  
(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	050378
-------------------------	--------

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description	THE NEW UNION HOTEL 111 PRINCES STREET MANCHESTER		
--	---	--	--

Post town	MANCHESTER	Postcode	M16JB
-----------	------------	----------	-------

Telephone number at premises (if any)	0161-228-1492
Non-domestic rateable value of premises	£

**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	[REDACTED]	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
[ ]	[ ]	[ ] [ ] [ ] [ ]

**Please describe briefly the nature of the proposed variation (Please see guidance note 1)**

WE WOULD LIKE TO EXTEND OUR OPERATING HOURS FROM 11AM - 4AM TO 11AM - 6AM ON THE FRIDAY AND SATURDAY ONLY. NO CHANGE ON ANY OTHER DAYS.

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 tick all that apply**

- |  |                                     |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A)   | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B)   | <input type="checkbox"/>            |
| c) indoor sporting events (if ticking yes, fill in box C)  | <input type="checkbox"/>            |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)   | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)  | <input 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)<br>(if ticking yes, fill in box H) | <input type="checkbox"/>            |

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

**Sale by retail of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

## A

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

**B**

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input 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 3)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
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 5)		
Sat					
Sun					

**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			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			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)
Thur			
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> <b>Standard days and timings (please read guidance note 6)</b>			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon			<u>Please give further details here (please read guidance note 3)</u>		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)</u>		
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 (please read guidance note 5)</u>		
Sat					
Sun					

## E

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



F

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

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 checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11 AM	4 AM	<b>Please give further details here</b> (please read guidance note 3) GENERAL DANCING FOR CUSTOMERS NOT PERFORMER'S ON FRIDAY AND SATURDAY'S (VARIATION)	Both	<input type="checkbox"/>
Tue	11 AM	4 AM			
Wed	11 AM	4 AM	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Thur	11 AM	4 AM			
Fri	11 AM	6 AM	<b>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</b> (please read guidance note 5)		
Sat	11 AM	6 AM			
Sun	11 AM	4 AM			

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Fri					
Sat			<b><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></b> (please read guidance note 5)		
Sun					

1

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

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 AM	4 AM	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)	Both	<input checked="" type="checkbox"/>
Tue	11 AM	4 AM			
Wed	11 AM	4 AM			
Thur	11 AM	4 AM	<b>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</b> (please read guidance note 5)		
Fri	11 AM	6 AM			
Sat	11 AM	6 AM			
Sun	11 AM	4 AM			

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).**

NONE

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b><u>State any seasonal variations</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon	11 AM	4 AM	
Tue	11 AM	4 AM	<b><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></b> (please read guidance note 5)
Wed	11 AM	4 AM	
Thur	11 AM	4 AM	
Fri	11 AM	6 AM	
Sat	11 AM	6 AM	
Sun	11 AM	4 AM	

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.

N/A

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 9)**

Our current closing times are the same as the bar directly opposite, which is G.A.Y. We believe that if we could have an extended closing time of two hours until 6am, this would significantly help with all four aspects of licensing objectives.

**b) The prevention of crime and disorder**

Having different closing times would help prevent large numbers of people leaving both bars at the same closing time out onto the same street location.

**c) Public safety**

As above

**d) The prevention of public nuisance**

As above

**e) The protection of children from harm**

Children are not permitted on any part of our premises at any time.



## Checklist:

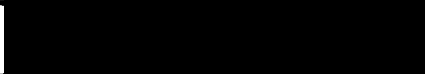
Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- 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, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 5 – Signatures** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	10/2/2020
Capacity	OWNER / LICENCE HOLDER

**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 12). 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 13)**

Post town		Post code	
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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of the Local Government Act 1972.

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# GREATER MANCHESTER POLICE - REPRESENTATION

## About You

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

## About the Premises

Application Reference No.	<b>LPV 244120</b>
Name of the Premises	<b>The New Union</b>
Address of the premises including postcode	111 Princess Street, Manchester M1 6JB

## Your Representation

Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the 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 premises licence variation in relation to the above premises on the grounds of Prevention of Crime and Disorder and the Prevention of Public Nuisance and Public Safety.

The application is seeking to allow the premises to sell alcohol until 6am on Friday and Saturday, in an area where there is one of the highest concentrations of assaults and disorder within the City Centre. A significant number of officers who are deployed on the weekend policing operation Custodian are located in the Village area due to the issues that the area attracts and in the early hours a significant number of the calls made to the police relate to the premises in this area and the locality in general.

GMP are concerned that by allowing this premises to remain open so late, especially at weekends, will attract an unruly element to the premises and cause issues.

The applicant has not proposed any further measures to show how they will deal with this potential issue. They haven't even suggested a last time of entry, which suggests that they are happy for new customers to walk into the premises right up until 6am.

During a 12 month period there were 600 incidents of violence reported in the beat area where the premises are situated, 530 incidents of Anti-Social behaviour and 288 incidents attributed to alcohol. This shows what a challenging area the Village already is, in terms of incidents, and we are greatly concerned that by allowing the premises to extend their hours, we will see an increase in the number of these incidents in the vicinity of the premises.

During the previous 12 months or so the premises themselves have had issues, some of which which GMP have spoken to them about, and these are as follows:

**Incident 258-14.12.19** – aggressive male who assaulted door supervisor by swinging at him prior to being arrested for being Drunk & Disorderly.

**Incident 434 / 16.11.19** : 3am – female reported injuring her arm being pushed off the stage by an unknown person.

**Incident 3364 / 19.10.19** – report of two females fighting and one of them assaults a door supervisor by slapping him. Incident recorded in Incident Book. Door staff decided not to take any further action. Female arrested for being Drunk & Disorderly.

**Incident 3534 / 20.9.19** – male detained for assaulting a door supervisor who did not want to take any action. Incomplete Incident Report – advised ██████ to ask the manager in charge to ensure Incident Reports are fully completed. Negative lines report of crime submitted.

**Crime 06AA/0018425/19-** assault on 28/9/2019 - door supervisor was assaulted after refusing customer entry. Written up fully in Incident Book. Door supervisor did not want to take any further action.

**Crime 160859L/19** – Common Assault on 22/6/2019. Male is ejected from venue and assaults door supervisor. Male can be seen being carried out by several door staff, male is instantly aggressive towards door staff who try to shepherd him down Canal Street and onto Princess Street and away – male refuses to leave and eventually sprints to door supervisor (victim) and strikes him to the head/face – male is restrained on ground until police arrive when he is taken away. Victim chooses not to support prosecution, male arrested for being Drunk & Disorderly..

PC Braithwaite met with ██████ to discuss crime reference **087247B/19** – Possession of Xanax where 2 females where two females arrested. One of the females was 17 years old which breaches their Premises Licence condition and considering the time of the offence (01:30 hours) makes it more concerning. He discussed the incident with ██████ and reviewed some of the CCTV footage – shows the females being detained a few minutes after coming into the venue – neither female, nor a male who was possibly with them make any attempt to buy a drink in the venue. Discussed how to avoid a repeat of this – the underage female was able to enter because the door supervisor had taken a toilet break leaving the door unattended – ██████ has now put a policy in place whereby when a door is left unattended by a door supervisor, the duty manager on duty will staff the front door for the short time the door supervisor is away, ensuring it is not left unattended. ██████ has confirmed all duty managers and door staff are aware of the new policy. Pc Braithwaite also emailed Primary Security to make them aware of the incident too.

**Crime 06AA/0001615/20** – A door supervisor was assaulted by a female during ejection on 12/1/2020. Full write up in the Incident Book – female head-butts door supervisor after being refused re-entry.

**Incident 3483 / 19.02.20** – report of a disturbance and a male fighting with door staff. Nothing happening upon police arrival and nothing recorded in the Incident Book.

**Crime 06A2/0004747/20** – male detained for assault on 23/2/2020, male bit door supervisor on the hand as he was being ejected for falling asleep in the venue. Male arrested and given a caution for police assault. Brief entry made in Incident Book.

**Crime 06A2/0005358/20** – male ejected for aggressive behaviour on 29/2/2020, then acts aggressively outside throwing queuing poles. No victim / witness to support allegation. Entry made in incident book.

**Crime 06A2/0005531/20** – report of assault on 1/3/2020. Report that female approaches victim in the venue and pulls her to the ground by the hair. Nothing recorded in Incident Book. Nothing to confirm that staff were made aware of the incident at the time.

Although these are not particularly serious incidents and they were often the result of people being refused entry, it does show that the premises has problematic customers trying to gain entry and GMP believe that this is likely to become more of an issue if the premises were allowed to remain open until 6am at weekends. This is because customers and potential customers would be more intoxicated.

During these times of reduced police numbers it is becoming more and more difficult to respond to the number of incidents relating to areas where there is a large concentration of licensed premises and by allowing these premises to extend their already late hours for even longer is almost certainly going to have an adverse effect in those areas.

GMP realise that there is no Cumulative Impact Policy in the Village and that the restraints of such a policy do not apply but we would ask that the committee take serious cognizance of the effect that the grant of these extremely late hours is having on the City Centre and the additional burden being placed on GMP.

We therefore ask that this application is refused.

<b>Licensing &amp; Out of Hours Compliance Team - Representation</b>	
Name	Signe Johansen
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	Signe.johansen@manchester.gov.uk
Telephone Number	

<b>Premise Details</b>	
Application Ref No	244120
Name of Premises	New Union Hotel
Address	111 Princess Street, M1 6JB

<b>Representation</b>
Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.
<p>The Licensing and Out of Hours Team (LOOH) have assessed the likely impact of the granting of the application submitted for an extension of hours at The New Union Hotel from 4am Friday and Saturday to 6am Friday and Saturday. LOOH have consulted the Council's Statement of Licensing Policy 2016-2021 and assessed any potential risk that the granting of this could undermine the four licensing objectives of public nuisance, crime and disorder, protection of children from harm and public health.</p> <p>The premises is located at the junction of Canal Street and Princess Street in the Gay Village. The premises is opposite the Manchester New Square development which begins occupation in August 2020.</p> <p>The application is for a variation to extend terminal hour by 2 hours:</p> <p>Recorded Music: Fri to Sat 11am to 6am</p> <p>Performance of Dance. Fri to Sat 11am to 6am</p> <p>Supply of alcohol: Fri to Sat 11am to 6am</p> <p>Hours Open to the Public: Fri to Sat 11am to 6am</p> <p>In considering the premises running until 06:00, LOOH have concerns that the grant of this application will lead to potential issues of public nuisance.</p> <p>Public nuisance is likely to be created by increased noise from patrons leaving at the terminal hour. There is a potential risk as being a "go to " premises from revellers leaving venues with earlier closing times, who would normally be heading home and leaving the area. If admitted to the premises those people will add to the numbers</p>

and exacerbate issues of noise at the terminal hour, if refused entry to the premises people will be loitering in the area also causing nuisance to the residents in the vicinity undermining the licensing objectives.

Consulting the Statement of Licensing Policy the following is relevant-

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

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

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

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

LOOH believe that the late terminal hour of this application will be conflicting with the policy and Licensing Objectives will not be upheld. We would expect a premises wishing to open until 6 00 hours have more robust conditions relating to dispersal, last entry time and crowd management in their operating schedule. The variation application has not detailed how these issues will be managed or any noise mitigation measures.

LOOH therefore recommend that this variation is refused.

<b>Recommendation:</b>	<b>Refuse Application</b>
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## Schedule of Licence Conditions

<b>Conditions consistent with the operating schedule</b>	<b>Agreed</b>	<b>Proposed by</b>
None	N/A	Applicant
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
None	N/A	GMP
None	N/A	Licensing and Out of Hours

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Sub Committee Hearing Panel – 11 May 2020

**Subject:** TBC, 23 Shudehill, Manchester, M4 2AF - App ref: New Premises Licence 244934

**Report of:** Director of Planning, Building Control and Licensing

**Summary**

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

**Recommendations**

That the Panel determine the application.

**Wards Affected:** Piccadilly

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

infrastructure and connectivity to drive growth	
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**Full details are in the body of the report, along with any implications for:**

Equal Opportunities Policy  
 Risk Management  
 Legal Considerations

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**Financial Consequences – Revenue None**

**Financial Consequences – Capital None**

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**Contact Officers:**

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

Name: Louise Dormer  
 Position: Technical Licensing Officer  
 Telephone: 0161 234 1460  
 E-mail: premises.licensing@manchester.gov.uk

**Background documents (available for public inspection):**

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

## 1. **Introduction**

- 1.1 On 16/03/2020, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of TBC, 23 Shudehill, Manchester, M4 2AF in the Piccadilly ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

## 2. **The Application**

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Ms Tekea Gebrezgiher.
- 2.3 The description of the premises given by the applicant is:  
The premises is to trade as a sports and coffee bar, with the sale of alcohol for consumption on the premises.
- 2.4 The proposed designated premises supervisor is Ms Tekea Gebrezgiher

### 2.5 **The licensable activities applied for:**

The supply of alcohol for consumption on the premises only:  
Sun to Thurs 5pm to 10pm and Fri to Sat 5pm to 1am

Opening hours:  
Sun to Thurs 10am to 10pm and Fri to Sat 10am to 1am

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

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

**2.6 Activities unsuitable for children**

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

**2.7 Steps to promote the licensing objectives**

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

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

**3. Relevant Representations**

3.1 A total of 1 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:

- MCC Licensing and Out of Hours Compliance Team;

3.2 Summary of the representation:

Party	Grounds of representation	Recommends
<b>Licensing and Out of Hours Compliance</b>	Based around a number of concerns. LOOH state that the premises have applied to trade as a 'Sports & Coffee bar' however haven't applied for late night refreshment or regulated entertainment. The licensing objective to protect children from harm has not been addressed. Concerns also raised over a complaint received about underage sales and during subsequent visits people were found to be drinking alcohol on the premises. Previous applications have been refused at committee and the last application was withdrawn prior to hearing. Whilst the applicant is new, the previous applicant is still classed as 'Lead Liable' on the Council's Business Rates accounts.	Refuse



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

#### **4. Key Policies and Considerations**

##### **4.1 Legal Considerations**

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

##### **4.2 New Information**

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

##### **4.3 Hearsay Evidence**

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

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

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

##### **4.5 Manchester Statement of Licensing Policy**

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

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

***Section 6: What we aim to encourage***

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

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

***Section 7: Local factors***

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

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

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- Proximity of takeaways and off-licences to nightlife entertainment areas
- Consistency with relevant Council strategies

- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Ability to clean and maintain the street scene

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

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

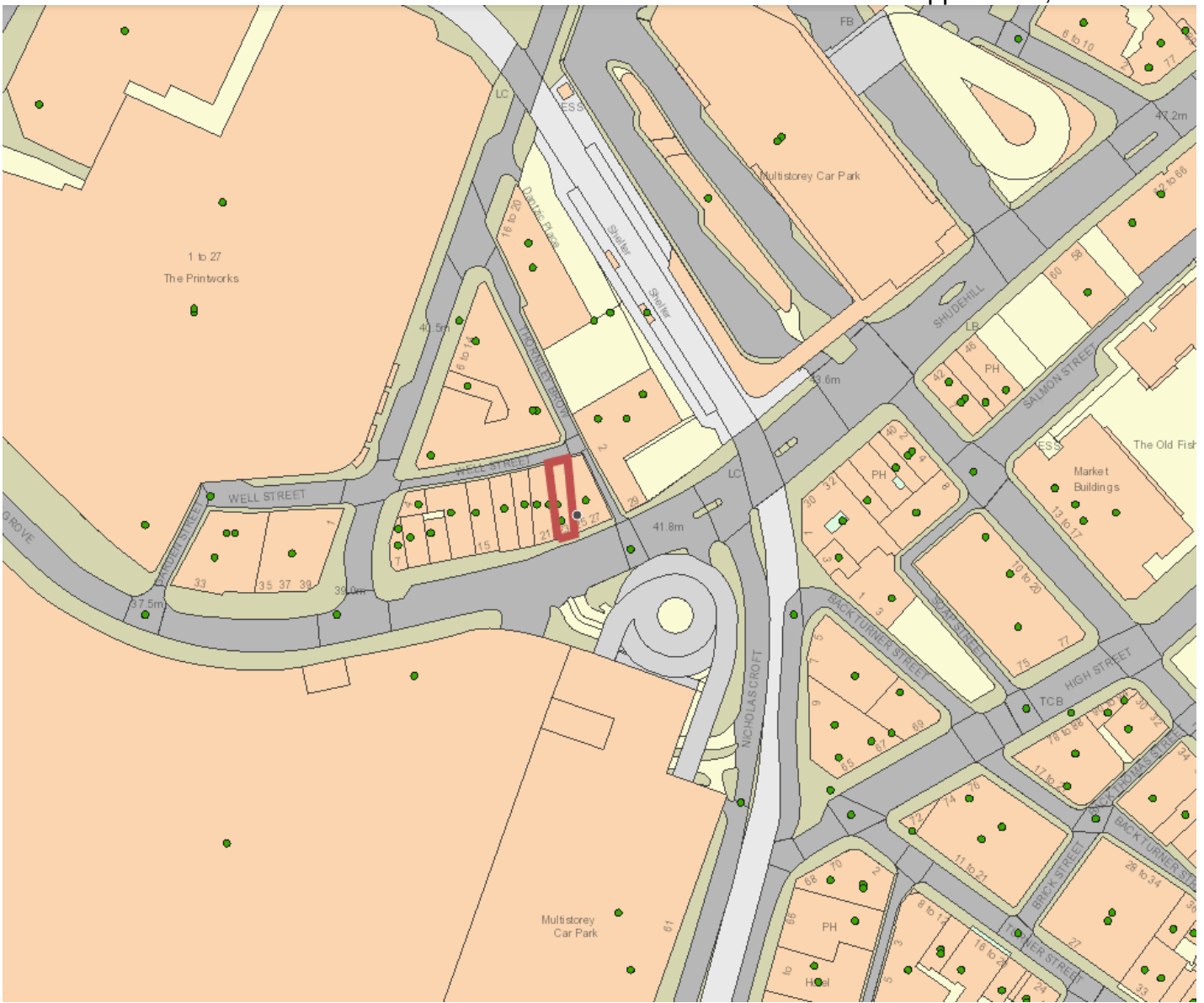
- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate 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.**



TBC  
23 Shudehill, Manchester, M4 2AF

Premises Licensing  
Manchester City Council

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Survey100019568.



**PREMISE NAME:** TBC

**PREMISE ADDRESS:** 23 Shudehill, Manchester, M4 2AF

**WARD:** Piccadilly

**HEARING DATE:** 11/05/2020

**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** Tekea Gebrezgiher

-----  
*(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			
23 Shudehill Manchester			
<b>Post town</b>	Manchester	<b>Postcode</b>	M4 2AF

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£17500

**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  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)	
<b>Surname</b> Gebrezgiher			<b>First names</b> Tekea		
<b>Date of birth</b> [REDACTED]		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes			
<b>Nationality</b> British					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
<b>Daytime contact telephone number</b>		[REDACTED]			
<b>E-mail address (optional)</b>					

**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)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b> over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(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			
3	1	0	3	2	0	2	0

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

DD		MM		YYYY			

Please give a general description of the premises (please read guidance note 1)  
The premises is to trade as a sports and coffee bar, with the sale of alcohol for consumption on the premises.

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

**B**

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

C

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

## D

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

**E**

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



**F**

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

## G

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

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> 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	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri					
Sat			<b><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></b> (please read guidance note 6)		
Sun					

**I**

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	17:00	22:00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5) n/a	Both	<input type="checkbox"/>
Tue	17:00	22:00			
Wed	17:00	22:00			
Thur	17:00	22:00		<b>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</b> (please read guidance note 6) n/a	
Fri	17:00	01:00			
Sat	17:00	01:00			
Sun	17:00	22:00			

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

Name: Tekea Gebrezgiher	
Date of birth	██████████
Address ██████████ ██████████	
Postcode	██████████
Personal licence number (if known) 151179	

Issuing licensing authority (if known) Salford City Council

K

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

n/a

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b><u>State any seasonal variations</u></b> (please read guidance note 5) n/a
Day	Start	Finish	<b><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></b> (please read guidance note 6) n/a
Mon	10:00	22:00	
Tue	10:00	22:00	
Wed	10:00	22:00	
Thur	10:00	22:00	
Fri	10:00	01:00	
Sat	10:00	01:00	
Sun	15:00	22:00	

--	--	--	--

**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 premises will operate to a high standard, and will do so should this licence be granted in terms of the sale of alcohol. All staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection.

**b) The prevention of crime and disorder**

An extensive CCTV system will be in operation to provide security and identify any culprit who is intent in causing trouble on the premises. There will be a monitor on the shop floor as well as in the back area. All images are stored for a period of 31 days after which they can be erased or saved at the request of the police. Staff will be fully trained in the operation of the CCTV system. Images will be made available to the police or authorised licensing officer from the council on request. A SIA Door supervisor will be employed on the premises on Friday and Saturday evenings from 22:00 hours until closing

**c) Public safety**

Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police. All relevant fire procedures are in place for a premise of this size.

**d) The prevention of public nuisance**

. Anyone leaving the premises in the evenings will be requested to leave in a quiet and orderly manner, by way of in house signage. Noise from the premises will not constitute a nuisance as this will be minimal.

**e) The protection of children from harm**

Only photographic ID is accepted (passport, driving licence, proof of age card with PASS hologram, or Military ID). Anyone who appears to be under the age of 25 is challenged to provide ID. If the customer is unable to provide identification then no sale is made. No ID no sale.

All refused sales will be recorded in a refusals book, which will be made available for inspection by Police or Licensing Officers of the council on request.

**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 (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)





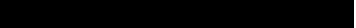
**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**



<b>Declaration</b>	<ul style="list-style-type: none"> <li>[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).</li> <li>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)</li> </ul>
Signature	
Date	02/03/2020
Capacity	Licence Agent

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

Signature	
Date	
Capacity	

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

### Notes for Guidance

- 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.
- In terms of specific regulated entertainments please note that:

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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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### Licensing & Out of Hours Compliance Team - Representation

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

Premise Details	
Application Ref No	REF M/244934
Name of Premises	TBC
Address	23 Shudehill, Manchester, M4 2AF

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 Out Of Hours Team 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, the hours applied for and any potential risk the granting of this licence could lead to including issues of public nuisance and the protection of children from harm.</p> <p>The premises is on ground floor level of 23 Shudehill in Manchester City centre, located opposite the Arndale Centre car park and rear of Shudehill bus/tram station. The premises is in close proximity to a number of nightclubs, bars, restaurants and takeaways on Withy Grove and close to The Printworks complex. Currently trading as a newsagent, the premise is located within a row of properties that contains both commercial and residential premises.</p> <p>The applicant has applied to sell alcohol for consumption on the premises from 1700 hours to 2200 hours Sunday to Thursday and from 1700 hours to 0100 hours on a Friday and Saturday.</p> <p>The hours the premises have applied to open are 1000 hours to 2200 Monday to Thursday and from 10.00 hours to 0100 hours on Friday and Saturday. Sunday from 1500 hours to 2200 hours</p> <p>The applicant has described the premises is to trade as a sports and coffee bar, with the sale of alcohol for consumption on the premises. Despite the term 'coffee bar' featuring in the applicant's description of the premises, there has been no request for late night refreshment within the current application despite the proposal to trade until 01:00 hours on a Friday and Saturday night. Similarly, there has been no request for regulated entertainment to cover these hours within the application despite describing the premises as a 'sports bar'. Due to the application containing very little information about how the premises will run once trading or the type of sport that will be screened it is difficult to ascertain with any certainty if regulated entertainment should have been included on the licence. Given that both late night refreshment and regulated entertainment have been omitted from the application, it is felt that the granting of a licence for alcohol sales only could be deemed too restrictive for the</p>

applicant and could lead to either intentional or unintentional licence breaches.

As mentioned, the applicant's description of the premise is too vague to allow for thorough assessment and it remains unclear whether the sports bar will be screening sports or providing sports games or both. Due to the scant information provided, it is also not clear what other services, if any, will be provided or the age group of customers the premises aims to attract. There is no mention of why alcohol sales wont commence until 17:00 hours nor does the application mention any of the logistics around the management of customers or the customers likely expectations to be able to buy alcohol in a 'sports bar' before 5pm. Nor is there mention of what efforts will be made to protect children from harm during the 7 hours when the premises is proposing to trade but without the ability to serve or display alcohol on the premises.

In addition to the concerns LOOH have with the current application, our team received a complaint in July 2018 regarding underage sales occurring at the premises. LOOH officers visited the premises with Greater Manchester Police (GMP) on 26 July 2018 to investigate this complaint during which time officers observed people drinking alcohol on the premises whilst [REDACTED] was present. Whilst there was a considerable amount of alcohol stored on the premises in a back room, there was no evidence obtained at the time of alcohol sales taking place.

On viewing the premises history, LOOH have noted that the applicant [REDACTED] resides at the same address as [REDACTED] (The registered liable person on business rates for this premises) who has had two previous Premises Licence Applications for this premises refused at committee on 16 February 2016 and 28 February 2017 and withdrew a third application on 26 April 2018 following representations being made. During the assessment of the latter two applications LOOH officers had observed people drinking alcohol on the premises without a premise licence being in place and records show that interactions with [REDACTED] at that time led to officers concluding that [REDACTED] lacked even a basic understanding of the Licencing Act. Given that [REDACTED] is still classed as the 'Lead Liable' on the Council's Business Rates account, a fourth application now being submitted but this time in someone else's name raises further concerns. It is worth noting that a contact number for [REDACTED] was not included in the application form and therefore we have been unable to ascertain any further information from the applicant to verify their role and/or connection to the premises.

The LOOH team also has concerns that the grant of this application is likely to lead to issues of public nuisance to nearby residents. These concerns are specifically that the grant of this licence is likely to lead to problems with noise from patrons smoking outside the premises, creating obstruction to the public highway and generating increased litter.

A final concern with the application is that a 'drinking up' period between the last sale of alcohol and the premises closing has not been considered. It is felt that this could lead to patrons drinking quicker to finish their drinks leading to increased intoxication. The applicant's operating schedule offers limited details

**Recommendation:**

**Refuse Application**

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

<b>Conditions consistent with the operating schedule</b>	<b>Agreed</b>	<b>Proposed by</b>
<ol style="list-style-type: none"> <li>1. The premises will operate to a high standard, and will do so should this licence be granted in terms of the sale of alcohol. All staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection.</li> <li>2. An extensive CCTV system will be in operation to provide security and identify any culprit who is intent in causing trouble on the premises. There will be a monitor on the shop floor as well as in the back area. All images are stored for a period of 31 days after which they can be erased or saved at the request of the police. Staff will be fully trained in the operation of the CCTV system. Images will be made available to the police or authorised licensing officer from the council on request. A SIA Door supervisor will be employed on the premises on Friday and Saturday evenings from 22:00 hours until closing</li> <li>3. Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police. All relevant fire procedures are in place for a premise of this size.</li> <li>4. Anyone leaving the premises in the evenings will be requested to leave in a quiet and orderly manner, by way of in house signage. Noise from the premises will not constitute a nuisance as this will be minimal.</li> <li>5. Only photographic ID is accepted (passport, driving licence, proof of age card with PASS hologram, or Military ID). Anyone who appears to be under the age of 25 is challenged to provide ID. If the customer is unable to provide identification then no sale is made. No ID no sale.</li> <li>6. All refused sales will be recorded in a refusals book, which will be made available for inspection by Police or Licensing Officers of the council on request.</li> </ol>	N/A	Applicant
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
None	N/A	Licensing and Out of Hours

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Sub Committee Hearing Panel – 11 May 2020

**Subject:** Northenden Social Club, 412 Palatine Road, Manchester, M22 4JT  
– Application ref: Club Premises Certificate variation 243217

**Report of:** Director of Planning, Building Control & Licensing

**Summary**

Application for the variation of a club premises certificate which has attracted an objection.

**Recommendations**

That the Committee determine the application.

**Wards Affected:** Northenden

<b>Manchester Strategy Outcomes</b>	<b>Summary of the contribution to the strategy</b>
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

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**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 12/03/2020, an application for the variation of an existing club premises certificate under s34 of the Licensing Act 2003 was made in respect of Northenden Social Club, 412 Palatine Road, Manchester, M22 4JT in the Northenden 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 club premises certificate 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 A relevant representation has 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 club premises certificate

- 2.1 The club premises certificate holder is Northenden Social Club and a copy of the current club premises certificate is attached at **Appendix 2**.

## 3. The Application

- 3.1 A copy of the application is attached at **Appendix 3**.
- 3.2 The variation requests:
- to extend the hours for the sale of alcohol, regulated entertainment, and the opening hours. Further details are as below; and
  - to vary the layout of the premises in accordance with the deposited plan (a copy of the proposed and existing plans have been provided for the Committee).

Further details of the current and proposed hours are as below.

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

Current hours: Sun to Thurs 8pm to 11pm, Fri and Sat 8pm to midnight

Proposed hours: Sun to Thurs 8pm to midnight, Fri and Sat 8pm to 1.30am

### Supply of alcohol for consumption on the premises only

Current hours: Sun to Thurs noon to 11.30pm, Fri & Sat midday to half past midnight

Proposed hours: Sun to Thurs 9am to 11.30, Fri and Sat 9am to 1am

Opening hours

Current hours: Sun to Thurs noon to midnight, Fri and Sat noon to 1am

Proposed hours: Sun to Thurs 9am to half past midnight, Fri & Sat 9am to 2am

The application also requests a **seasonal** variation: from the start of permitted hours on New Year’s Eve to the end of permitted hours on New Year’s Day. (The current variation at New Year applies to sale of alcohol only, and not to regulated entertainment or opening times)

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 has not proposed any additional steps.

**3.5 Further documentation accompanying the application**

3.5.1 The applicant not submitted further documentation in support of the application.

**4. Relevant Representations**

4.1 One relevant representation was received in respect of the application (**Appendix 4**). The personal details of this member of the public have been redacted. An original copy of the representation will be available to the Committee at the hearing.

Responsible Authorities:

- None

Other Persons:

- Resident x 1

4.2 Summary of representation:

Party	Grounds of representation	Recomm-ends
Resident	The resident states that he has experienced numerous noise-related problems with the club, which appear to	Not stated



	<p>coincide with changes to the external and internal layout of the club, summarised as</p> <ul style="list-style-type: none"> <li>• repositioning of the bar</li> <li>• installation of full-length bi-fold doors and;</li> <li>• an extended external seating area</li> </ul> <p>Problems experienced have included excessive noise from music within and outside the premises (including the playing of external amplified music), and noise from patrons in the outside seating area, leading to disturbance including sleep disturbance.</p> <p>The resident considers that the proposed amendments are “wholly inappropriate for a residential area where the club is encircled by a number of residential dwellings” and will lead to an exacerbation of existing problems. The objection specifically refers to:</p> <ul style="list-style-type: none"> <li>• the seasonal variation, where the club will be permitted to operate over “a period of 40 hours non-stop” which demonstrates “a lack of concern for the wellbeing of their neighbours” and will increase the likelihood of crime and disorder; and that</li> <li>• “it appears that it is the club’s intention to operate from 9am to close every day, not just for special events”, again incompatible with a residential area and raises concern of an increase in crime and disorder.</li> </ul> <p>Based on previous experience the resident has “no confidence that the club would be operated in a way during these extended hours that would not cause a significant disturbance to its neighbours” and he is disappointed at having received “no prior communication from the club about the application”, which indicates a “lack of intention to work with its neighbours”</p>	
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4.3 No conditions have been proposed by the objector.

## 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:

- 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.

- |     |   |
|-----|---|
| 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) |

## **6. Conclusion**

- 6.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 6.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 6.3 The Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the application subject to the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate;
  - b) To reject the whole or part of the application
- 6.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the club premises certificate can take place.
- 6.5 However, conditions should not be imposed on a club premises certificate which are unrelated to the variation sought.
- 6.6 All licensing determinations should be considered on the individual merits of the application.
- 6.7 The Panel’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 6.8 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 6.9 **The Panel is asked to determine the application.**



Northenden Social Club, 412 Palatine Road,  
Manchester, M22 4JT

Premises Licensing  
Manchester City Council

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<b>PREMISE NAME:</b>	Northenden Social Club
<b>PREMISE ADDRESS:</b>	412 Palatine Road, Manchester, M22 4JT
<b>WARD:</b>	Northenden
<b>HEARING DATE:</b>	11/05/2020



# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 CLUB PREMISES CERTIFICATE

<b>Club premises certificate number</b>	049654
<b>Granted</b>	09/09/2005 (Minor variation 145504 granted 25/09/2012)

### Club details

<b>Name of club in whose name this certificate is granted and relevant postal address of club</b>		
Northenden Social Club 412 Palatine Road		
<b>Post town</b>	<b>Post code</b>	<b>Telephone number</b>
Manchester	M22 4JT	0161-998-2791

**If different from above, the postal address of club premises to which this certificate relates, if any, or if none, ordnance survey map reference or description**

<b>Post town</b>	<b>Post code</b>	<b>Telephone number</b>

### Qualifying club activities authorised by the certificate

1. The supply of alcohol.
2. The provision of regulated entertainment, limited to:
  - Live music;
  - Recorded music;
  - Provision of facilities for dancing;
  - Provision of facilities for entertainment of a similar description to making music or dancing.

### The times the certificate authorises the carrying out of qualifying club activities

#### Supply of alcohol

##### Standard timings

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1200	1200	1200	1200	1200	1200	1200
Finish	2330	2330	2330	2330	0030	0030	2330

The sale of alcohol is licensed for consumption on the premises only.

##### Seasonal variations and Non standard Timings:

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

#### Live music; Recorded music; Provision of facilities for dancing; Provision of facilities for entertainment of a similar description to making music or dancing

##### Standard timings

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2000	2000	2000	2000	2000	2000	2000
Finish	2300	2300	2300	2300	0000	0000	2300

Licensed to take place indoors only.

**Seasonal variations and Non standard Timings:** None

Issued by:

Licensing Business Unit Premises Team, Neighbourhood Services, PO Box 271, Manchester City Council, Manchester M18 8YU

<b>Opening hours of the club</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1200	1200	1200	1200	1200	1200	1200
Finish	0000	0000	0000	0000	0100	0100	0000
<b>Seasonal variations and Non standard Timings:</b> None							

### Annex 1 – Mandatory conditions

#### 1 The supply of alcohol for consumption off the premises must:

- a Only be made at a time when the premises are licensed to supply alcohol to members of the club for consumption on the premises,
  - b Only be made to a member of the club in person,
  - c Be in a sealed container.
- 2
- (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children–
    - 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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
    - 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;
    - d provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on–
      - i the outcome of a race, competition or other event or process, or
      - ii the likelihood of anything occurring or not occurring;
    - e 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.
- 3 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 4 The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 5
- (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
  - (2) 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 a holographic mark.



- 6 The responsible person shall 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; and
  - b customers are made aware of the availability of these measures.

#### **Annex 2 – Conditions consistent with the club operating schedule**

1. The above restrictions do not prohibit:
  - a) During the first twenty minutes after the above hours, the consumption of the alcohol on the premises;
  - b) During the first thirty minutes after the above hours, the consumption of the alcohol on the premises by persons taking meals, there if the alcohol was supplied as ancillary to the meals;
  - c) The supply to, or consumption by, any person of alcohol in any premises where they are residing.
2. The premises will close 30 minutes after the terminal hour of the authorised alcohol supply.
3. A door entry system will be maintained.
4. The CCTV system, both interior and exterior, will be maintained and operational at all times the premises are open.
5. Children are not allowed entry to the premises unless they are accompanied by a parent and supervised at all times.
6. Children shall not be permitted entry to the bar area of the premises.

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

1. All windows and doors will be kept closed except for the purposes of access and egress during regulated entertainment to reduce noise levels.
2. Regular external monitoring will be carried out by the licensee at the nearest residential properties to ensure inaudibility when regulated entertainment is taking place within the premises.
3. Local taxi numbers will be prominently displayed within the premises.
4. Staff are given training to ensure that they are knowledgeable in the methods for controlling and dealing with any problematic or rowdy customers.
5. There will be no disposal of bottles or waste into external receptacles outside the hours of 0900 and 2200.
6. Signs will be prominently displayed at all exits asking customers to leave quietly and with consideration for neighbours.
7. A manager or member of staff will supervise the exit of customers during the drinking up period to ensure that customers do not congregate outside the premises.

#### **Annex 4 – Plans**

See attached.

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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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**Application to vary a club premises certificate to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS BEFORE COMPLETING APPLICATION**

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.

Northenden Social Club

*(Insert name of club)*

**club applies for a club premises certificate under section 84 of the Licensing Act 2003 for the premises named in Part 1 below**

Club premises certificate number 049654
--

**Part 1 – Club premises details**

Name of club Northenden Social Club			
Postal address of premises, if any, or if none ordnance survey map reference or description 412 Palatine Road			
Post town	Manchester	Postcode	M22 4JT
Telephone number (if any)	0161 998 1644		
E-mail address (optional)	[REDACTED]		

Name of person performing duties of a secretary to the club [REDACTED]
---

Address of person performing duties of a secretary to the club ██████████			
Post town	██████████	Postcode	██████████
Daytime contact telephone number (if any)	██████████		
E-mail address (optional)	████████████████████		

**Part 2 – Applicant details**

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

**Part 3 - Variation**

Please tick

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)

To extend the hours for the sale of alcohol on Sundays to Thursdays from 09:00 until 23:30, and on Fridays and Saturdays from 09:00 until 01:00.

To extend the hours for the provision of Regulated Entertainment on Sundays to Thursdays from 20:00 until 24:00, and on Fridays and Saturdays from 20:00 until 01:30.

To extend the opening hours on Sundays to Thursdays from 09:00 until 00:30, and on Fridays & Saturdays from 09:00 until 02:00. .

To vary the layout of the premises in accordance with the deposited plan.

If the club's 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 – Club Operating Schedule**

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

What qualifying club activities do you intend to conduct on the club premises which will be affected by your application?

Provision of regulated entertainment:

**Please tick as appropriate**

- |   |                          |
|---|--------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/> |
| d) boxing or wrestling entertainments (if ticking yes, fill in box D)                                       | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E)   | x                        |
| f) recorded music (if ticking yes, fill in box F)   | x                        |
| 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"/> |

**The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club** (if ticking yes, fill in box I) x

**The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place** (if ticking yes, fill in box J) x

**In all cases complete boxes K, L and M**



## A

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

**B**

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

## C

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

## D

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

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	x
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	20:00	24:00	<b>Please give further details here</b> (please read guidance note 4)		
Tue	20:00	24:00			
Wed	20:00	24:00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5) From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.		
Thur	20:00	24:00			
Fri	20:00	01:30	<b>Non-standard timings. Where the club intends to use the premises for the performance of live music at different times from those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat	20:00	01:30			
Sun	20:00	24:00			

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	20:00	24:00	<b>Please give further details here</b> (please read guidance note 4)		
Tue	20:00	24:00			
Wed	20:00	24:00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5) From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.		
Thur	20:00	24:00			
Fri	20:00	01:30	<b>Non-standard timings. Where the club intends to use the premises for the playing of recorded music at different times from those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat	20:00	01:30			
Sun	20:00	24:00			

## G

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

## H

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



## I

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – <b>please tick</b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	09:00	23:30	<b>State any seasonal variations</b> (please read guidance note 5) From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.		
Tue	09:00	23:30			
Wed	09:00	23:30			
Thur	09:00	23:30	<b>Non-standard timings. Where the club intends to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list</b> (please read guidance note 6)		
Fri	09:00	01:00			
Sat	09:00	01:00			
Sun	09:00	23:30			

**J**

<p><b>Hours club premises are open to the members and guests</b> Standard days and timings (please read guidance note 7)</p>			<p><b>State any seasonal variations</b> (please read guidance note 5) From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.</p>
Day	Start	Finish	
Mon	09:00	00:30	
Tue	09:00	00:30	
Wed	09:00	00:30	
Thur	09:00	00:30	
Fri	09:00	02:00	
Sat	09:00	02:00	
Sun	09:00	00:30	<p><b>Non standard timings. Where you intend the premises to be open to the members and guests at different times from those listed in the column on the left, please list</b> (please read guidance note 6)</p>

**K**

<p><b>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</b> (please read guidance note 9). N/A</p>
---

**L**

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

N/A

Please tick as appropriate

- I have enclosed the club premises certificate x
- I have enclosed the relevant part of the club premises certificate

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

Reasons why the club has not enclosed the club premises certificate or relevant part of it:

**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)**

Please see Club Premises Certificate number 049654

**b) The prevention of crime and disorder**

Please see Club Premises Certificate number 049654

**c) Public safety**

Please see Club Premises Certificate number 049654

**d) The prevention of public nuisance**

Please see Club Premises Certificate number 049654

**e) The protection of children from harm**

Please see Club Premises Certificate number 049654

**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. X
- I have sent copies of this application and the plan to responsible authorities. X
- I understand that I must now advertise my application. X
- I have enclosed the club premises certificate or relevant part of it or explanation. X
- I understand that if I do not comply with the above requirements my application will be rejected. X

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 5 – Signatures** (please read guidance note 11)

I [REDACTED].....  
(Insert full name)

**make this application on behalf of the club and have authority to bind the club**

Signature	<span style="background-color: black; color: black;">[REDACTED]</span>
Date	12 <sup>th</sup> March 2020
Capacity	<span style="background-color: black; color: black;">[REDACTED]</span>

Address for correspondence associated with this application (please read guidance note 12)			
<span style="background-color: black; color: black;">[REDACTED]</span>			
<span style="background-color: black; color: black;">[REDACTED]</span>			
<span style="background-color: black; color: black;">[REDACTED]</span>			
<span style="background-color: black; color: black;">[REDACTED]</span>			
Post town	<span style="background-color: black; color: black;">[REDACTED]</span>	Postcode	<span style="background-color: black; color: black;">[REDACTED]</span>
Telephone number (if any)	<span style="background-color: black; color: black;">[REDACTED]</span>		
If you would prefer us to correspond with you by e mail, your e mail address (optional)			
<span style="background-color: black; color: black;">[REDACTED]</span>			

**Notes for Guidance**

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 to the late night levy.
2. Describe the premises, For example the type of premises it is, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for people to consume these off-supplies, please include a description of where this will be and its proximity to the premises.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. Please state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively) where the activity will go on for an extra hour during summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16:00).
8. If the club wishes members and their guests to be able to consume alcohol on the premises, please tick 'on the premises'. If the club wishes people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If the club wishes people to be able to do both, please tick 'both'.
9. Please give information about anything to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or gambling machines etc.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed by someone with the authority to bind the club.
12. This is the address which we will use to correspond with the club about this application.

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

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From: [REDACTED]  
Date: Tue, 24 Mar 2020 at 06:32  
Subject: Fw: Northenden Social Club - Variation to Premises Licence – Application 243217/HH1  
To: [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk) <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>

Sir / Madam.

I do not know whether the applicants will continue with the application in light of current circumstances, but in any event please find attached my objection to Application 243217/HH1 - Northenden Social Club, Variation to Premises Licence. I would be grateful if you would acknowledge receipt.

Kind regards,

[REDACTED]

**Northenden Social Club**

**Variation to Premises Licence – Application 243217/HH1**

**Email to:** [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)

I write to **OBJECT** to the above application.

My house [REDACTED] social club. I have lived here since [REDACTED] and for over ten years have had no issue with the club and have welcomed its presence and the community facilities it provides. However, since 2018 I have experienced numerous noise-related problems with the club. This appears to coincide with the following changes to the external and internal layout of the club:

- The main bar being re-positioned to the rear of the building from a previously more central location;
- The installation of full length bi-fold doors at the rear which are regularly left open during warmer months; and
- An extended outdoor seating area which is in an elevated position vis-à-vis neighbouring residential properties, leading to smoke and noise drifting into neighbouring properties.

As a result, I have had to make a series of complaints which have been investigated and responded to by the Council's Licensing team, on the following dates:

- July 2018
- December 2018
- April 2019; and
- November 2019.

In brief, the complaints concerned excessive noise from music within and outside the premises (including the playing of external amplified music), and noise from patrons in the outside seating area.

**1. The proposal to extend the hours for the sale of alcohol, regulated entertainment, opening hours**

It is proposed to extend the period of regulated entertainment until **midnight** during the week and **1:30am** on Friday and Saturday nights, with associated extensions for selling alcohol and the closing time. It is also proposed for the sale of alcohol to commence every day at **9am** (previously noon). I am extremely concerned by these proposals.

I have reviewed Section 7 of the Council's Licensing Policy which sets out the local factors which the licensing authority must take into account in determining the application where objections have been received. I have set out the relevant factors here, with my comments where appropriate:

***THE PROXIMITY OF THE PREMISES TO LOCAL RESIDENTS AND OTHER LOCAL BUSINESSES, PARTICULARLY IN RELATION TO THE POTENTIAL FOR NUISANCE.***

***7.25 Where its discretion is engaged, the licensing authority will ensure that due consideration is given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises, to ensure they are located in a position that does not adversely affect their ability to ensure the promotion of the licensing objectives. The potential impact on any local residents will be an important matter for consideration.***

***7.26 Where premises are in the direct vicinity of local residential properties, and where its discretion is engaged, the authority will give particular consideration to measures proposed in the application in relation to prevent nuisance, such as:***

- ***Prevention of noise or vibration escaping from the premises due to volume of music or plant and machinery noise***
- ***Prevention of noise disturbance from people entering and leaving the premises (eg. queue management, dispersal policy)***
- ***Prevention of disturbance by people outside the premises (eg. smoking areas)***
- ***Litter from the premises (This issue is considered particularly relevant in respect of late-night takeaways and smoking-related litter outside licensed premises)***
- ***Disturbance caused by deliveries associated with licensable activities, including waste collection.***

**Comment:** I have been provided with no details within the application as to the actions the club will take to prevent noise and vibration escaping from the premises as a result of the extended hours, or how the outside drinking/smoking area will be controlled to prevent a public nuisance during the extended hours. This is of concern due to the nature of the previous complaints I have made to the Council which demonstrate that historically the club has been operating in such a way that could give rise to a public nuisance. The proposals would exacerbate this. We are already experiencing disturbance from patrons using the outside seating and smoking area, especially in warmer weather. By extending licensing hours, especially during the summer months when it is lighter and warmer,

this will encourage patrons to remain outside for longer, thus disturbing sleep for the residents of all neighbouring properties.

**7.27 *The leisure and night-time economy can be an important contributor to an area's appeal to work, live or visit there. However, each of our neighbourhoods is different to each other and services need to be flexible to meet these different needs. For example, while doorstep access to a thriving late-night-time economy appeals to many living and working in the city centre, it will not be acceptable to those in other areas of the city.***

**Comment:** Cumulatively the proposal will create a public nuisance and is wholly inappropriate for a residential area where the club is encircled by a number of residential dwellings. In view of the previous noise complaints, I have no confidence that the club would be operated in a way during these extended hours that would not cause a significant disturbance to its neighbours. My concern is exemplified by the seasonal variation requested, which would potentially see the club open for the sale of alcohol and regulated entertainment from 9am on 31 January to 1:30am on 1 January – a period of over 40 hours non-stop which demonstrates a lack of concern for the wellbeing of their neighbours. Extended drinking hours, whether that be the proposed extension or seasonal variation, will also increase the likelihood of crime and disorder.

**7.28 *Where its discretion is engaged, the licensing authority will give consideration to the appropriateness of hours applied for, having regard to the location of premises and their likely effect on the promotion of the four licensing objectives. While it is recognised that in some circumstances flexible licensing hours for the sale of alcohol can help to ensure that concentrations of customers leaving premises simultaneously are avoided, the licensing authority will consider restricting hours to ensure the promotion of the licensing objectives, subject to relevant representations being made in relation to the hours applied for, should the licensing authority deem this appropriate and proportionate following a hearing.***

See comments above.

**7.29 *The authority considers that later hours will typically be more sensitive and higher risk in causing problems.***

See comments above.

**7.30 *Applicants are strongly encouraged only to apply for hours that they realistically intend to operate, as later hours are typically more likely to attract objections.***

**Comment:** With this in mind, it appears that it is the club's intention to operate from 9am to close every day, not just for special events. This is incompatible with a residential area and raises concern of an increase in crime and disorder if drinking is to be encouraged from 9am.

**7.31 *It is recognised that in spite of the quality of the operation of the business, where patrons are out of the control of the licensee, the lateness of the terminal hour for the premises will often be a contributory factor in the potential for disturbance.***

See comments above.

**7.32 *Therefore, where its discretion is engaged, the authority will be mindful of the density of residential use in proximity to the premises and the level of risk of nuisance arising. The authority***

*expects that terminal hours will normally be earlier to promote the licensing objectives for licensed premises located in areas with a higher density of residential property.*

See comments above.

*7.33 Later hours will generally be more appropriate within the city centre than other areas due to the developed infrastructure in respect of managing a later night-time economy, such as the comprehensive integrated CCTV network, increased access to public transport, cleansing services, and a more visible enforcement presence. In mixed-use environments, such as the city centre, noisier impacts are not always derived from actions of a small number of excessively antisocial individuals but can also come from large numbers of people going about the business of having a good time. While such environments will not be expected to be completely noise-free and peaceful environments, the authority considers that noise affecting residential properties should remain within tolerable levels such that home life remains viable and restful sleep a possibility.*

See comments above.

*7.34 Where noise nuisances can be clearly identified as arising from the activities of customers of a specific licensed premises, or there is risk identified upon application of such nuisance occurring, where its discretion is engaged, the licensing authority may reduce the trading hours of licensed premises on the grounds of their noise impact if it is determined that the licensing objectives will be undermined. Where objections are made to the lateness of the terminal hour, it would be appropriate for an applicant to engage with local residents and other parties to try to address the issues raised. The licensing authority would strongly encourage applicants to engage proactively prior to the making of an application and as appropriate when an application is pending.*

**Comment:** I have received no prior communication from the club about the application, which is disappointing given that they are aware of the previous complaints. This appears to show a lack of intention to work with its neighbours and an unwillingness to cooperate with the Council's own licensing policies.

The Council also has standards to promote the licensing objectives, the most relevant being:

***MS8 Prevent noise nuisance from the premises.***

*Noise disturbance from licensed premises normally arises two ways. The first is in noise breakout from licensed premises themselves, which affects adjacent properties either via transmission through the structure of the building, or through airborne sound. This can be caused by noise from music, vibration and/or raised voices.*

*Research has identified seven factors that influence the magnitude of people's subjective response to noise. These are sound level, background (ambient) level, differences between listeners, the context into which the sound intrudes, music type, bass level, and bass beat.*

*Low-frequency energy is also more transmissible over distance and through building structures and tends not to be present in the background noise environment. The introduction of a low-frequency bass-beat will therefore be more noticeable to nearby residents, particularly late at night.*

*Consideration should be given to the risk of nuisance from music breakout from the premises and include all appropriate measures. Relevant measures could include:*

*– The provision of acoustic glazing*

- *The installation of sound limiters linked to any sound amplification equipment at appropriate levels*
- *The provision of acoustically treated ventilation*
- *The installation of an acoustic lobby at entrances and exits to premises to act as a physical barrier between the inside of premises and the outside environment*
- *Prohibition of the external playing of amplified music*
- *Restriction of the hours of operation of outside drinking areas*
- *Establishment of maximum noise levels*
- *The provision of a scheme of internal acoustic treatment to the premises.*

**Comment:** I have been provided with no information to suggest that the applicant acknowledges the additional disruption the extended hours would cause, and no information about the measures it proposes as to how this would be addressed, for example:

- improved sound insulation;
- keeping doors (including bi-fold doors) and windows shut;
- playing (internal) music at an appropriate level;
- removing external amplified speakers.

As it stands, I can frequently hear the bass beat of music from within the club in my living room and bedroom, and would be extremely concerned if this were to be permitted later into the night. The application also does not address how the outside drinking area would be controlled to prevent a public nuisance.

**MS9 Effectively manage exterior spaces (eg. beer gardens, smoking areas, table and chair areas on the highway)**

**Where the premises include any exterior areas, licensees should demonstrate the measures in place to prevent issues that may give rise to problems. Relevant considerations should include:**

- *A limit on the number of patrons in such areas*
- *Whether there is a curfew on using a limit*
- *How a limit will be delineated, if relevant*
- *How premises will be kept clean and free of litter, particularly at the end of trading – The type of supervision to be put in place*
- *Whether the premises should be covered by CCTV*
- *Whether glasses should be allowed outside*
- *The glass collection arrangements to be put in place*
- *How to avoid customers causing noise disturbance*
- *How the premises will prevent begging at, and in the immediate exterior of, the premises.*

**Comment:** As explained above, I am frequently disturbed by the use of the outside seating area as it stands. Whilst I appreciate that this application cannot be used to remedy existing issues, I would be extremely concerned if the outside area could be used for drinking/socialising from 9am to a much later close of business as this would have a severe impact on the amenity of the many residential neighbours. I have been provided with no information as to how the applicant proposes to control the use of this area.

## **2. Proposal to vary the layout of the premises**

You have kindly provided me with a copy of the “existing” and “proposed” layout plans. I would comment that it is very difficult to compare them in any meaningful way as they have been prepared at different orientations, and the “proposed” plan is a crude handwritten sketch whereas the “existing” plan is an architect’s drawing. Notwithstanding, and with my comments above in mind, I

The objector has been provided with the correct proposed plan since this objection was received, HH

would object to any proposals that would increase the conflict between the club's activities and neighbouring residents. This includes locating focus points for noise away from residential neighbours; and providing appropriate screening from the large windows overlooking residential properties to provide sufficient privacy and minimise light pollution.

**Next steps**

Please acknowledge receipt of this objection.

I would request that a site visit is undertaken before the application is determined so that the elevation change between the club and the neighbouring properties is appreciated, which puts my representations into context. I request that you keep me informed of any hearing that will take place, including any right to attend, and confirm the outcome of the application to me in due course.

22 March 2020

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

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