



## **Licensing Sub Committee Hearing** **Panel**

Date: Monday, 18 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, Hughes and Reid

## 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 - Café Kilombo, 43 Kenyon Lane, Manchester, M40 9JG**

5 - 88

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

**5. New Premises Licence - Convenience Store, 120 Mauldeth Road, Manchester, M14 6SQ**

89 - 160

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

**6. Temporary Event Notice - Velvet (cobble area), 2 Canal Street Mcr, M1 3HE**

161 - 238

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, 7 May 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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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Sub Committee Hearing Panel – 18 May 2020

**Subject:** Cafe Kilombo, 43 Kenyon Lane, Manchester, M40 9JG - App ref:  
Premises Licence (new) 244649

**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.

**Ward Affected:** Moston

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  
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Name: Chloe Tomlinson  
Position: Technical Licensing Officer  
Telephone: 0161 234 4521  
E-mail: premises.licensing@manchester.gov.uk

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

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

## 1. Introduction

- 1.1 On 13/03/2020, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Cafe Kilombo, 43 Kenyon Lane, Manchester, M40 9JG in the Moston 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 Cafe Kilombo Ltd.
- 2.3 The description of the premises given by the applicant is 'café and delicatessen.'
- 2.4 The proposed designated premises supervisor is Dulce Natalia Penelas Fernandes Da Cruz.
- 2.5 **The licensable activities applied for:**
- The supply of alcohol for consumption both on and off the premises:  
Mon to Sun 11am to 10pm
- Opening hours:  
Mon to Sat 8am to 10.30pm, Sun 9am to 10.30pm
- 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 3 relevant representations were received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

Responsible Authorities:

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

Other Persons:

- Residents (x1).

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
<b>GMP</b>	GMP believe that the granting of this licence would undermine the Licensing Objectives of Public Nuisance and the Prevention of Crime and Disorder. There of ongoing issues and tensions along Moston Lane and Kenyon Lane from the local community involving the over consumption of alcohol and anti-social behaviour. The local community have reported noise disturbances coming from people leaving local premises and also from people in vehicles parked in the vicinity. The granting of this licence would likely lead to greater incidents of public nuisance and antisocial behaviour in the area and directly impact on the quality of life of local residents.	Refuse

<b>Licensing and Out of Hours Compliance</b>	<p>The premises came to the attention of Manchester City Council's Licensing and Out of Hours Team back in April 2018 when, one month before a Licensing committee rejected an earlier application for a premise licence, the Café held a private party. This resulted in several complaints being made by local residents due to noise and anti social behaviour, including urinating in the street, drinking alcohol in the premises and on the street and shouting in the street. Licensing and Out of Hours believe that no control was demonstrated by the management, and that their actions undermined the licensing objectives especially in relation to that of public nuisance. Some time later on 11 April 2019 LOOH officers attended the premises, where alcohol was found. At the time of this visit this premises was not licensed to sell alcohol. They were issued with a formal warning. Most recently an application was made for a late Temporary Event for the period 25 March 2020 to 29 March. LOOH objected to this as the premises had to be closed anyway due to the current Coronavirus restrictions. Despite this rejection, on 26 March, PC Simon Braithwaite from GMP entered the premises to ensure compliance with the Coronavirus restrictions. Whilst inside, although the premises was closed for business, he noticed that there was alcohol displayed in the fridges for sale in the customer area. Although this application does offer conditions on it in terms of upholding the licensing objectives, it does not address or acknowledge any of the pre-existing problems in the area and how this will be managed on a day to day basis. The Licensing and Out of Hours team does not have confidence that conditions proposed in the application will be upheld by this premises, given the lack of cooperation and regard to the legislative framework and general lack of management control shown in the past.</p>	Refuse
<b>Resident</b>	<p>The premises is already operating without a licence (including the sale of alcohol) and has created noise disturbance in the area, leading to public nuisance. There are a lot of premises nearby already selling alcohol and alcohol is abused in the local area.</p>	Refuse

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

### **4.1 Legal Considerations**

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

### **4.2 New Information**

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

### **4.3 Hearsay Evidence**

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

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

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

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

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

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

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

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

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

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

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

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

***Section 7: Local factors***

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

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

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

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

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

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

MS2 Effective general management of the premises

MS3 Responsible promotion and sale of alcohol

MS5 Prevent on-street consumption of alcohol

MS8 Prevent noise nuisance from the premises

### **Conclusion**

- 4.6 A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives:
- the prevention of crime and disorder
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 4.7 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council's licensing policy statement.
- 4.8 Having regard to the representations, the Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to:



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

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Cafe Kilombo  
43 Kenyon Lane, Manchester, M40 9JG

Premises Licensing  
Manchester City Council

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Ordnance Survey100019568.

**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.

We **CAFÉ KILOMBO LTD**

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

**Part 1 – Premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>			
<b>CAFÉ KILOMBO 43 KENYON LANE MANCHESTER</b>			
<b>Post town</b>	<b>MANCHESTER</b>	<b>Postcode</b>	<b>M40 9JG</b>
Telephone number at premises (if any)			
Non-domestic rateable value of premises		<b>£2650</b>	

**Part 2 - Applicant details**

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

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

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

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

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a  
 statutory function or   
 a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First Name</b>		
<b>Date of birth</b>			I am 18 years old or over	<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>					

**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	<b>CAFÉ KILOMBO LTD</b>
Address	<b>43 KENYON LANE MANCHESTER M40 9JG</b>
Registered number (where applicable)	<b>12304752</b>
Description of applicant (for example, partnership, company, unincorporated association etc.)	<b>LIMITED</b>
Telephone number (if any)	
E-mail address (optional)	manuelrocha01@hotmail.com

**Part 3 Operating Schedu**

When do you want the premises licence to start?

DDMM		YYYYYY					
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 notes****CFA EKILOMBO IS A CAFÉ AND DELICATESSEN . WE HAVE A FEW TABLES AND CHAIRS FOR OUR COSTUMERS AND ALSO TOILETT FACILITIES.**

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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



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

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

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

A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)  <b>NOT APPLICABLE</b>	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)					
Mon								
Tue								
Wed						<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Thur								
Fri						<b>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</b> (please read guidance note 6)		
Sat								
Sun								

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)  <b>NOT APPLICABLE</b>	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)					
Mon								
Tue								
Wed						<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Thur								
Fri						<b>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</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)  <b>NOT APPLICABLE</b>
Day	Start	Finish	<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Mon			
Tue			<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)
Wed			
Thur			
Fri			
Sat			
Sun			

## D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
			<b>NOT APPLICABLE</b>	Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)		
Thur					
Fri			<b>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</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)  <b>NOT APPLICABLE</b>	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<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 performance of live music</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 live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat								
Sun								

**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)  <b>NOT APPLICABLE</b>	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)					
Mon								
Tue								
Wed						<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Thur								
Fri						<b>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</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)  <b>NOT APPLICABLE</b>	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  <b>NOT APPLICABLE</b>		
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**

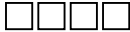
<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)  <b>NOT APPLICABLE</b>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	11:00	22:00			
Tue	11:00	22:00			
Wed	11:00	22:00			
Thur	11:00	22:00			
Fri	11:00	22:00			
Sat	11:00	22:00			
Sun	11:00	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)		

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 <b>DULCE NATALIA PENELAS FERNANDES DA CRUZ</b>	
Date of birth	
Address 	
Postcode	
Personal licence number (if known) 	
Issuing licensing authority (if known) 	



K

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

**NOT APPLICABLE**

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	<b>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</b> (please read guidance note 6)
Mon	08:00	22:30	
Tue	08:00	22:30	
Wed	08:00	22:30	
Thur	08:00	22:30	
Fri	08:00	22:30	
Sat	08:00	22:30	
Sun	09:00	22:30	

**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)**

**CCTV WILL BE INSTALED WITH 31 DAYS DATA. STAFF TRAINING REGARDING THE FOUR LICENSE OBJECTIVES, UNDER 25 CHALLENGES, SIGNAGE LIKE NO PROOF NO SALE, RESPECT OUR NEIGHBOURS, REFUSAL BOOK, STAFF TRAINING RECORDS. DRUNK OR VIOLENT CUSTOMERS WILL NOT BE ALLOWED OR ALCOHOL IN OUR CAFE. WE WILL PARTICIPATE IN PUB WATCH MEETINGS. NO VERTICAL DRINKING. BEERS/CIDER ON SALE (OFF LICENSE) WILL BE SOLD IN PACKS OF 4X Minimum AND WILL NOT EXCEED 6% ABV.**

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

**CCTV WITH DATA FOR 31 DAYS. THE BUSINESS WILL HAVE ALWAYS A STAFF MEMBER THAT IS FAMILIAR WITH THE CCTV OPERATION. DPS AND PREMISES LICENSE HOLDER WILL PARTICIPATE IN PUB WATCH AND LOCALS NEIGHBOURS ASSOCIATION MEETINGS. OUR BUSINESS WILL NOT ENGAGE ON IRRESPONSABLE ALCOHOL PROMOTIONS.**

**c) Public safety**

**CCTV WITH DATA FOR 31 DAYS WILL BE INSTALED. WE WILL PARTICIPATE IN PUB WATCH MEETINGS AND WITH LOCAL NEIGHBOURS ASSOCIATION. ALCOHOL TO BE STORED IN A COOL DRY PLACE AND AWAY OF ANY HEAT SOURCE. NO IRRESPONSABLE PROMOTIONS. WE WILL IMPLEMENT ANY RECOMMENDATIONS GIVEN BY THE POLICE AND OTHER AUTHORITIES**

**d) The prevention of public nuisance**

**DELIVERIES DONE BY OUR SUPPLIERS WILL TAKE PLACE WITHIN THE RECOMMENDED TIMES BY THE AUTHORITIES. RUBISH BIN COLLECTION WILL TAKE PLACE WITHIN THE RECOMMENDED HOUR BY THE AUTHORITIES. STAFF MEMBER TO CLEAN ANY RUBISH OR LITTERING IN FRONT OUR PREMISES DURING THE DAY ON A REGULAR BASIS. SIGNAGE WILL BE IN PLACE. STAFF TRAINING.**

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

**STAFF WILL BE TRAINED REGARDING THE PROTECTION OF CHILDREN FROM HARM. OUR BUSINESS WILL HAVE A UNDER 25 CHALLENGE POLICY. NO PROOF, NO SALE. SIGNAGE AND POSTERS WILL GO UP. STAFF TRAINING RECORDS. REFUSAL BOOK. REFRESHER TRAINING EVERY 6 MONTHS TO ALL STAFF**

**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)



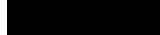

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<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> </ul>
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	<ul style="list-style-type: none"> <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	24/02/2020
Capacity	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	LONDON	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:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

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

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**MANCHESTER  
CITY COUNCIL**

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

Name	Michael Wilson
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	[REDACTED]
Telephone Number	[REDACTED]

**Premise Details**

Application Ref No	244649
Name of Premises	Café Kilombo (Cantinho Do Kilombo)
Address	43 Kenyon Lane, Manchester, M40 9JG

**Representation**

Licensing and out of hours team have assessed the likely impact of the granting of this license, 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 that the granting of this licence could lead to issues of public nuisance.

The premises is located on Kenyon lane, near Moston lane, which is part of a row of premises and residential properties. The closest residents are located above the premises and within 100 feet along the road.

There are a number of number of restaurant premises on this stretch of Kenyan lane, one of which has a licence to sell alcohol to 10pm.

This application seeks to gain a licence to sell alcohol between 11am to 10pm each day of the week. The premises intends to be open to the public between 8am and 10:30 pm each day of the week.

With this in mind I would like to draw the attention of the committee to the history of this premises located at 43 kenyon lane.

This particular premises has come to the attention of Manchester City Council's Licensing and Out of Hours Team since April 2018.

In April 2018, one month before a Licensing committee rejected their first application for a premise licence, the Café held a private party. This resulted in several complaints being made by local residents due to noise and anti social behaviour, including urinating in the street, drinking alcohol in the premises and on the street and shouting in the street.

Licensing and Out of Hours believe that no control was demonstrated by the management, and that their actions undermined the licensing objectives especially in relation to that of public nuisance.

Some time later on 11 April 2019 I attended the premises with a colleague from the compliance team. We were invited in by a woman calling herself [REDACTED]. Once inside I noticed 4 crates of 5% beer towards the rear of the bar. I also discovered another 4 crates of beer on the floor of the kitchen area. On

the bar there was a pad to take orders from customers and several of the pages stated "Birra" and then had a tally tick list on each page. The café also had rows of wine glasses both front and rear in the premises. [REDACTED] said that she wasn't in charge and made a phone call. Shortly afterwards a male turned up and initially denied he had anything to do with the business. However he eventually admitted to being called [REDACTED] and that it was his business. Under caution he stated that the alcohol was for a friend called [REDACTED] and that he had purchased the alcohol for him as he could buy it cheaper than [REDACTED] could. He said it was [REDACTED] birthday soon. He did not know the surname of his friend or where he lived though. At the time of this visit this premises was not licensed to sell alcohol. Both parties present were obstructive in my attempts to understand why alcohol was on the premises and what appeared to be receipts for orders of alcohol. We opted to issue a formal warning instead of prosecuting them for a section 136 offence under the 2003 Licensing Act.

Most recently an application was made for a late Temporary Event. This notice was made by [REDACTED] in order to be allowed to sell alcohol from 43 Kenyon lane for the period 25 March 2020 to 29 March 2020 whilst they awaited the outcome of the application for a full premises licence. However I objected to this late Temporary Event as the premises had to be closed anyway due to the current Coronavirus restrictions. Despite this rejection, on 26 March, PC Simon Braithwaite from GMP entered the premises to ensure compliance with the Coronavirus restrictions. Whilst inside, although the premises was closed for business, he noticed that there was alcohol displayed in the fridges for sale in the customer area. [REDACTED] were advised that as they did not have a licence that they must remove all alcohol once the cafe reopened. Any alcohol held on a premises without a licence is an offence under the 2003 Licensing Act. This is the same offence as was committed in 2019

Manchester City Council's Licensing and Out of Hours Team always looks to work with a premises to help it comply with legislation, yet this premises has sought to carry on as if they outside the legislative framework.

Although this application does offer conditions on it in terms of upholding the licensing objectives, it does not address or acknowledge any of the pre-existing problems in the area and how this will be managed on a day to day basis.

Manchester City Council's Statement of Licensing Policy section 7.2 makes it an expectation that applicants should set out the steps they propose to take to promote the licensing objectives. They should also be able to demonstrate that they understand enough information about the local area in terms of pre-existing problems and how this will be managed.

Section 7.4 of the policy requests that an applicant conduct a risk assessment of the local area to identify relevant factors that might help to promote the licensing objectives when making the application.

This application does not comply with either 7.2 or 7.4 of Manchester City Council's Statement of Licensing Policy.

The Licensing and Out of Hours team does not have confidence that and

<p>conditions proposed in the application will be upheld by this premises, given the lack of cooperation and regard to the legislative framework and general lack of management control shown in the past</p> <p>We therefore recommend that the application be refused.</p>	
<p>Recommendation:</p>	<p>Refuse Application</p>



Premises Licensing &lt;premises.licensing@manchester.gov.uk&gt;

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**Objection to Cafe Kilombo 45 Kenyon Lane, Moston. Licence Application**

1 message

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**Alan.Isherwood@gmp.police.uk** <Alan.Isherwood@gmp.police.uk>  
To: premises.licensing@manchester.gov.uk, CentralLicensing@gmp.police.uk

23 March 2020 at 14:43

Dear All

GMP wish to object to the above new premises licence application as we believe that it will undermine the Licensing objectives of Public Nuisance and the Prevention of Crime and Disorder. The attached statements from the local policing team will be used as our evidence at the hearing.

Kind Regards

PC Alan Isherwood

Sent from my Samsung Galaxy smartphone.

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

From: Daniel Fisher <Daniel.Fisher@gmp.police.uk>  
Date: 16/03/2020 21:38 (GMT+00:00)  
To: Alan Isherwood <Alan.Isherwood@gmp.police.uk>  
Cc: Andrew Brooks <Andrew.Brooks@gmp.police.uk>  
Subject: Cafe Kilombo 45 Kenyon Lane, Moston. Licence Application

Alan,

Please find attached statements from myself and PS Brooks re the licence application at 45 Kenyon Lane

Kind Regards

Dan

**Dan Fisher****PC 14866****H2 Neighbourhood Beat Officer****Harpurhey Police Station****Upper Conran Street****Manchester****M9 4HU****0161 856 4506****07393 781 579**

You can access many of our services online at [www.gmp.police.uk](http://www.gmp.police.uk).

For emergencies only call 999, or 101 if it's a less urgent matter.

You can also connect with us on:

- o Facebook: [www.facebook.com/GtrManchesterPolice](http://www.facebook.com/GtrManchesterPolice)
- Twitter: [www.twitter.com/gmpolice](http://www.twitter.com/gmpolice)
- Instagram: [www.instagram.com/gtrmanchesterpolice](http://www.instagram.com/gtrmanchesterpolice)
- Flickr: [www.flickr.com/gmpolice1](http://www.flickr.com/gmpolice1)
- YouTube: [www.youtube.com/gmpolice](http://www.youtube.com/gmpolice)
- Pinterest: [www.pinterest.co.uk/gmpolice](http://www.pinterest.co.uk/gmpolice)

To find out what is happening in your area, visit [www.gmp.police.uk/a/your-area](http://www.gmp.police.uk/a/your-area) where you will be able to follow local social media accounts.

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*Unauthorised use or disclosure of the contact may be unlawful. Any opinions expressed may not be official policy.*

*Unless encrypted, internet email is not to be treated as a secure means of communication. Greater Manchester Police records and monitors all email activity and content and you are advised that any email you send may be subject to monitoring.*

*Thank you for your co-operation.*

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## 2 attachments



**MG 11 Cafe Kilombo licence application pc fisher.doc**  
102K



**MG 11 Cafe Kilombo licence application ps brooks.doc**  
103K

RESTRICTED (when complete)

MG11

Page 1 of 2

**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

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Statement of: **Daniel Fisher**

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Police Constable

This statement (consisting of 1 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.

Signature: .....

Date: 16/3/20

Check box if witness evidence is visually recorded  (supply witness details on last page)

I am PC 14866 Fisher of the Greater Manchester Police currently stationed at Harpurhey Police Station.

I am the Neighbourhood Beat Officer for the Harpurhey and Moston area.

I have been in post since June 2019 and since that time I have been made aware of ongoing issues and tensions along Moston Lane and Kenyon Lane from the local community involving the over consumption of alcohol and anti social behaviour. As part of this I was involved with the successful closure of a flat above a premises on Moston Lane that was being used for the illegal sale and consumption of intoxicants.

I am aware of many calls to Police reporting disturbances such as males fighting with each other near to Kenyon Lane and Moston Lane which they believe are caused by the over consumption of alcohol and can be attributed to the local businesses. The local community have also reported noise disturbances coming from people leaving local premises and also from people in vehicles parked in the vicinity.

These calls have been reported directly to the Police but also via email to local officers and via local Councillors at their surgeries.

I have been made aware that Café Kilombo at 45 Kenyon Lane has made an application to sell alcohol at the premises. As the Neighbourhood Beat Officer covering this area I am concerned that this will bring an increase in crime and disorder at the location which will directly impact on the quality of life for the local residents.

I support the view that if this application was granted then it would lead to greater incidents of public nuisance and anti social behaviour in the area and directly impact on the quality of life of local residents. I would therefore request that this licence application is refused.

Signature: ..... Signature witnessed by: .....

2006/07 (1)

RESTRICTED (when complete)



RESTRICTED (when complete)

MG11

Page 2 of 2

URN

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**Witness contact details**

Home address:  
(include Postcode) c/o Harpurhey Police Station Upper Conran Street Harpurhey

Home telephone no.: Work telephone no: 0161 856 4506

Mobile/Pager no: E-mail address: 14866@gmp.police.uk

Preferred means of contact: email Best time of contact (specify details):

Male  Female (tick as applicable) Date and place of birth: over 18

Former name: Height: Ethnicity code:

Religion/Belief (specify):

**DATES OF WITNESS NON-AVAILABILITY:****Witness care**

a) Is the witness willing and likely to attend court? If 'No', include reason(s) on form MG6.  Yes  No

b) What can be done to ensure attendance?

c) Does the witness require Special Measures Assessment as a vulnerable or intimidated witness? If 'Yes' submit **MG2** with file.  Yes  No

c) Does the witness have any particular needs?  Yes  No

If 'Yes' what are they? (Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness consent (for witness completion)

a) The Victim Personal Statement scheme (victims only) has been explained to me:  Yes  No

b) I have been given the Victim Personal Statement leaflet:  Yes  No

c) I have been given the leaflet 'Giving a witness statement to the police – what happens next?':  Yes  No

d) I consent to police having access to my medical record(s) in relation to this matter:  
(obtained in accordance with local practice)  Yes  No  N/A

e) I consent to my medical record in relation to this matter being disclosed to the defence:  Yes  No  N/A

f) I consent to the statement being disclosed for the purposes of civil proceedings if applicable:  
e.g. child care proceedings, CICA.  Yes  No  N/A

g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support unless you ask them not to. Tick this box to **decline** their services:

Signature of witness:..... PRINT NAME:.....

Signature of parent/guardian/appropriate adult: ..... PRINT NAME:.....

Address and telephone number if different from above:.....

Statement taken by (print name): self

Station: harpurhey

Time and place statement taken: Harpurhey 16/3/20

2006/07 (1)

RESTRICTED (when complete)

**RESTRICTED (when complete)**

**MG11**

**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

**URN**

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Statement of: **Andrew Brooks**

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Police Sergeant

This statement (consisting of 1 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.

Signature: ..... Date: 16/3/20

Check box if witness evidence is visually recorded  (supply witness details on last page)

I am Police Sergeant 6045 Brooks of the Greater Manchester Police Force currently stationed at Harpurhey Police Station North Manchester Division Manchester.

I am the Neighbourhood Sergeant and have geographical responsibility for Charlestown, Collyhurst, Blackley, Moston, New Moston and Harpurhey.

I have been in post since October 2015 and have been made aware of issues and tensions reported by members of the local community in respect of alleged illegal activity from businesses on Moston Lane and Kenyon Lane.

Members of the public have contacted the police to report disturbances in the area which they believe is alcohol related and associated to nearby businesses and noise nuisance in respect of persons coming and leaving properties and congregating in vehicles in the vicinity off the premises.

Reports have been made formally and police incidents have been created, they have also been informal reports to Local Councillor's at their surgeries and via email to local beat officers.

From reviewing the proposed operating plan which has been submitted with the premise licence application for Café Kilombo it appears to contain a lack of detail in relation to how the premise intends to promote the four licensing objectives.

The premise is surrounded by residential properties and from reviewing the operating plan they do not seem to have given this any thought when explaining how they will prevent public nuisance to ensure it does not impact on their residential neighbours.

Greater Manchester Police feel if this application was granted it would lead to local residents being impacted on in terms of public nuisance and anti-social behaviour, we do not feel there are sufficient measures detailed within the operating plan to state how the business intends to promote the four licencing objectives and therefore request that the licence application is refused.

Signature: ..... Signature witnessed by: .....

**RESTRICTED (when complete)**

RESTRICTED (when complete)

MG11

Page 2 of 2

URN    **Witness contact details**Home address:  
(include Postcode) c/o Harpurhey Police Station Upper Conran Street Harpurhey

Home telephone no.: Work telephone no: 0161 856 3690

Mobile/Pager no: E-mail address: 06045@gmp.police.uk

Preferred means of contact: email Best time of contact (specify details):

 Male  Female (tick as applicable) Date and place of birth: over 18

Former name: Height: Ethnicity code:

Religion/Belief (specify):

**DATES OF WITNESS NON-AVAILABILITY:****Witness care**a) Is the witness willing and likely to attend court? If 'No', include reason(s) on form MG6.  Yes  No

b) What can be done to ensure attendance?

c) Does the witness require Special Measures Assessment as a vulnerable or intimidated witness? If 'Yes' submit **MG2** with file.  Yes  Noc) Does the witness have any particular needs?  Yes  No

If 'Yes' what are they? (Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness consent (for witness completion)

a) The Victim Personal Statement scheme (victims only) has been explained to me:  Yes  Nob) I have been given the Victim Personal Statement leaflet:  Yes  Noc) I have been given the leaflet 'Giving a witness statement to the police – what happens next?':  Yes  Nod) I consent to police having access to my medical record(s) in relation to this matter:  
(obtained in accordance with local practice)  Yes  No  N/Ae) I consent to my medical record in relation to this matter being disclosed to the defence:  Yes  No  N/Af) I consent to the statement being disclosed for the purposes of civil proceedings if applicable:  
e.g. child care proceedings, CICA.  Yes  No  N/Ag) The information recorded above will be disclosed to the Witness Service so that they can offer help and support unless you ask them not to. Tick this box to **decline** their services: 

Signature of witness:..... PRINT NAME:.....

Signature of parent/guardian/appropriate adult:..... PRINT NAME:.....

Address and telephone number if different from above:.....

Statement taken by (print name): self

Station: harpurhey

Time and place statement taken: Harpurhey 16/3/20

MANCHESTER  
CITY COUNCIL**Fwd: OBJECTION OF PREMISES LICENCE ON KENYON LANE MOSTON  
MANCHESTER M40 9JG**

1 message

Premises Licensing &lt;premises.licensing@manchester.gov.uk&gt;

16 March 2020 at 16:40

To: [REDACTED]

FYA

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

Date: Mon, 16 Mar 2020 at 16:32

Subject: OBJECTION OF PREMISES LICENCE ON KENYON LANE MOSTON MANCHESTER M40 9JG

To: [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk) <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>

Afternoon Sir/Ma

PREMISES LICENCE COMPLAIN AND TO GO AGAINST IT ON CAFE KILOMBO LTD [43 KENYON LANE MOSTON MANCHESTER M40 9JG](#), ON THAT KENYON LANE ALONE WE HAVE 4 RESTAURANT WHICH I KNOW 2 RESTAURANT HAVE PREMISES LICENCE TO SELL ALCOHOL ALREADY, WE HAVE ANOTHER RESTAURANT ON MOSTON LANE WITH PREMISES NOT UPTO 100 METER TO EACH OTHER.

PLEASE THIS ARE THE LIST OF PREMISES LICENCE ON KENYON NEXT DOOR TO EACH OTHER .  
IFEOMA RESTAURANT LICENCE  
DE ROCK AFRICAN KITCHEN & BAR LICENCE

THE PARTICULAR CAFE& RESTAURANT ON KENYON LANE OPERATING ALREADY WITHOUT NO LICENCE AND AT NIGHT THEY GATHERED ON STREET MAKING NOISE SOME TIMES PLAYING MUSIC TO DISTURB THE AREA YAKOYO AFRICA RESTAURANT HAVE NO LICENCE AND THEY SELL ALCOHOL AND CAFE KILOMBO LTD SELL ALCOHOL WITHOUT LICENCE ALREADY , LABUKA RESTAURANT ON MOSTON LANE SELL ALCOHOL WITHOUT LICENCE AND A WOMAN IN RENTED HOUSE SELL ALCOHOL WITHOUT LICENCE.

ALL THIS LISTED SELLING ALCOHOL ALREADY WITHOUT LICENCE TO FOUND OUT THE INFORMATION COME ANYTIME FROM 8PM AT NIGHT, THEY KNOW COUNCIL HAVE CLOSED AT THE TIME SO THEY WILL NOT HIDE IT AGAIN ,BUT THIS CAFE KILOMBO LTD COME ANYTIME FROM 10PM THEY LOCK THE DOOR WHILE PEOPLE ARE INSIDE DRINKING ALCOHOL AND THEY CREATE NUISANCE ON THE STREET ANYTIME FROM 11PM AT NIGHT.

PLEASE WE NEED YOUR GOOD OFFICE TO CARRY OUT SOME INFORMATION ON ALL THIS RESTAURANT LISTED WE GO AGAINST GIVING PREMISES LICENCE TO ANY RESTAURANT IN MOSTON AREA AGAIN ALCOHOL IS REALLY ABUSED IN THAT AREA.

YAKOYO RESTAURANT ON KENYON LANE  
LA' LABUKA RESTAURANT ON MOSTON LANE  
BEFORE LLOYD'S BANK  
CAFE KILOMBO LTD

ALL THIS LISTED RESTAURANT ALREADY OPERATING WITHOUT PREMISES LICENCE.  
TO FOUND OUT IS NIGHT FROM 8PM TO 1AM THEY LOCK THEMSELVES INSIDE DRINKING ALCOHOL AND THEY STORED IT UPSTAIRS IN THE SHOP OR AT THE CAR BOAT OUTSIDE.

THANKS FOR USUAL ASSISTANCE IN MOSTON AREA.

[REDACTED]

Sent from Yahoo Mail on Android

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Premises Licensing  
Growth and Development

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. CCTV will be installed with 31 days data. The business will always have a staff member that is familiar with the CCTV operation.</li> <li>2. There will be staff training regarding the four licensing objectives, including the under 25 challenge scheme, signage like no proof no sale, respect our neighbours, refusal book, staff training records.</li> <li>3. Drunk or violent customers will not be allowed alcohol in our café.</li> <li>4. The DPS and premises licence holder will participate in pub watch meetings and the local neighbour association meetings.</li> <li>5. The business will not engage in irresponsible alcohol promotions</li> <li>6. There will be no vertical drinking at the premises.</li> <li>7. Beers/ciders sold for off sales will be sold in packs of 4 minimum and will not exceed 6% ABV.</li> <li>8. Deliveries and bin collections will take place within the recommended times by the authorities.</li> <li>9. A staff member will clean any rubbish or litter in front of the premises during the day on a regular basis.</li> <li>10. Staff will be trained regarding the protection of children from harm.</li> </ol>	N/A	Applicant
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
None		

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

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Sub Committee Hearing Panel – 18 May 2020

**Subject:** Convenience Store, 120 Mauldeth Road, Manchester, M14 6SQ - App ref: Premises Licence (new) 245016

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

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**Summary**

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

**Recommendations**

That the Panel determine the application.

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**Ward Affected:** Withington

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

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

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



## 1. Introduction

- 1.1 On 03/03/2020, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Convenience Store, 120 Mauldeth Road, Manchester, M14 6SQ in the Withington ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

## 2. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Mr Andrew Roland Izedomen.
- 2.3 The description of the premises given by the applicant is: 'A convenience store'.
- 2.4 The proposed designated premises supervisor is Mr Andrew Roland Izedomen.
- 2.5 **The licensable activities applied for:**  
The supply of alcohol for consumption off the premises:  
Mon to Sun 7.00am to 11.00pm
- Opening hours:  
Mon to Sun 7.00am to 11.00pm
- 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 **5** 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;

### Other Persons:

- Withington Ward Councillors;
- Fallowfield Community Guardians;
- South East Fallowfield Residents Group.
- Private Resident (x1)

3.2 Summary of the representations:

<b>Party</b>	<b>Grounds of representation</b>	<b>Recommends</b>
<b>Licensing and Out of Hours Compliance</b>	It is of concern to LOOH Compliance that, combined with the existing number of licensed premises/retail outlets (located, in some instances, within feet of the premises) and the fact that that the premises is located within a short distance of the Withington Cumulative Impact Zone, there exists great potential for the undermining of the Licensing Objectives (with specific regard to the prevention of public nuisance) should the application be granted in its current form. To allay their concerns LOOH Compliance are requesting a range of conditions be imposed on the premises licence. should it be granted.	Grant with conditions

<p><b>Withington Ward Councillors</b></p>	<p>The Ward Councillors have collectively expressed concerns that the licensing objective relating to the prevention of public nuisance would be undermined should the application be granted. It is felt by the ward Councillors that there are sufficient existing retail outlets for purchasing alcohol within the locality and that approving the sale of alcohol via another retail outlet would only serve to add further to the antisocial behaviour and public nuisance issues that already occur and exist within the local area.</p>	<p>Refuse</p>
<p><b>Fallowfield Community Guardians</b></p>	<p>Fallowfield Community Guardians have submitted a representation against the application on the basis of the likelihood of the licensing objectives being further adversely affected should another outlet for the sale of alcohol be authorised via the application. FCG have highlighted previous and on-going antisocial behaviour and public nuisance incidents that occur on a highly regular (almost daily) basis within the local area, due principally to the local, substantial student population who reside in official 'Halls of Residence' facilities and also numerous large 'HMO' type properties within the local area. It is the firm belief of Fallowfield Community Guardians that the addition of another retail outlet, selling alcohol for the times as applied for, would add substantially to the recorded antisocial behaviour/public nuisance, on-street drinking and littering that occurs within the Mauldeth Road/ general Withington area and that, consequently so, they are requesting that the application be refused.</p>	<p>Refuse</p>
<p><b>South East Fallowfield Residents Group</b></p>	<p>South East Fallowfield Residents Group have submitted their representation in direct support of that as submitted by Fallowfield Community Guardians. They are of the same opinion as Fallowfield Residents Group that the addition of a further licensed premises within the local area (and specifically in the location on which the premises is situated on Mauldeth Road) would only serve to further undermine the licensing objectives of preventing public nuisance and public disorder within the Withington ward. As with Fallowfield Residents Group, SEFRG are requesting that the application be refused.</p>	<p>Refuse</p>

<b>Residents (x1)</b>	The representation submitted by Resident 1 follows the general theme of the representations submitted by both local resident groups: that in allowing a further licensed premises to operate within the defined area that this will/shall only serve to exacerbate and further to the existing public order/public nuisance issues affecting the local area. Resident 1 has explained how they encounter large amounts of takeaway/alcohol related litter debris in the locality of the premises (which is removed by them) and that the volume of such waste would only be likely to increase in the eventuality of the licence application being granted.	Refuse
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3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

### **Section 7: Local factors**

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

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

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

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

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

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS5 Prevent on-street consumption of alcohol
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS7 Maintain a safe capacity
- MS8 Prevent noise nuisance from the premises
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

### **Section 9: Alcohol delivery services**

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

### **Section 10: Adult entertainment (including striptease, nudity and other entertainment of a sexual nature)**

This section sets out specific considerations in respect of applications to provide adult entertainment, including entertainment of a sexual nature e.g. nudity, striptease and lap dancing.

***Section 11: The use of tables and chairs on the public highway***

This section provides that the operation of any areas on the public highway licensed for tables and chairs should be considered with regard to all relevant Standards set out in Section 8 of the Policy.

***Section 12: Premises Licences for large-scale public events***

This section sets out particular expectations regarding large scale public events, given the specific associated risks.

**5. Conclusion**

- 5.1.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 5.1.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 5.1.3 Having regard to the representations, the Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to:
    - i. the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate, and
    - ii. any mandatory conditions that must be included in the licence;
  - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
  - c) To refuse to specify the person proposed in the application as the designated premises supervisor;
  - d) To reject the application.
- 5.1.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 5.1.5 All licensing determinations should be considered on the individual merits of the application.

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





Convenience Store  
120 Mauldeth Road, Manchester, M14 6SQ

Premises Licensing  
Manchester City Council

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Survey100019568.



**PREMISE NAME:** Convenience Store

**PREMISE ADDRESS:** 120 Mauldeth Road, Manchester, M14 6SQ

**WARD:** Withington

**HEARING DATE:** 20/04/2020

**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 **Andrew Roland IZEDOMEN**

*(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			
120 Mauldeth Road			
<b>Post town</b>	Manchester	<b>Postcode</b>	M14 6SQ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£9,600.00</b>

**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> Andrew Roland			<b>First names</b> Izedomen		
<b>Date of birth</b> [REDACTED]		I am 18 years old or ver <input checked="" type="checkbox"/> Please tick yes			
<b>Nationality</b> [REDACTED]					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
<b>Daytime contact telephone number</b>					
<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
01	04	2020

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

DD	MM	YYYY

The store where alcohol is to be sold will be a convenience store selling all types of products such as household goods, toiletries, fresh and frozen foods etc. Alcohol will be sold as part of the convenience offering but will form only around 15% of the total goods available to customers.

The applicant owns another store locally and is experienced in making sales of alcohol and upholding the licensing objectives

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**

<b>Plays</b> 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"/>
				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			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Wed					
Thur			<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)		
Fri					
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"/>
				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 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"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4)					
Mon								
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"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Wed					
Thur			<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)		
Fri					
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"/>
				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 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						
Tue								
Wed								
Thur								
Fri								
Sat								
Sun								
						<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)		

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	0700	2300			
Tue	0700	2300			
Wed	0700	2300			
Thur	0700	2300			
Fri	0700	2300			
Sat	0700	2300			
Sun	0700	2300			
			<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)		

**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 Andrew Roland Izedomen	
Date of birth – [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence no [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	





K

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

NONE

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	0700	2300	
Tue	0700	2300	
Wed	0700	2300	
Thur	0700	2300	
Fri	0700	2300	
Sat	0700	2300	
Sun	0700	2300	
			<b>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</b> (please read guidance note 6)

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

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

Staff will be trained before making sales of alcohol in their responsibilities under the Licensing Act 2003. Refresher training will take place at 6 monthly intervals. All training will be documented and made available to the authorities on reasonable request.

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

A CCTV system will be in operation at the premises and recorded images shall be retained for a period of 31 days. CCTV images will be provided to the police and other responsible authorities as soon as practicable and in any case within 48 hours of a request for such images, subject of the provisions of the DPA.

**c) Public safety**

A register of refusals of alcohol will be maintained at the premises. The register shall be examined on a regular basis by the duty manager/ DPS and the date and time of each examination will be endorsed in the register. The register will be made available for inspection by the Police and other.

An incident register will be maintained at the premises and made available to the authorities on request.

**d) The prevention of public nuisance**

A notice will be on display asking that the customers leave the area quietly and respect the local residents.

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

The premises will adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the age of 25, they will be asked for proof of their age, to prove that they are 18 years or older.

Posters will be on display advising customers of the 'Challenge 25' policy.

The only forms of identification that will be accepted at the premises are a passport, UK photo-card driving licences, military ID & cards bearing the 'PASS' hologram.

**Checklist:****Please tick to indicate agreement**

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

**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	Clitheroe	Postcode	██████
Telephone number (if any)	██████████		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
██████████			

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of the Local Government Act 1972.

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**MANCHESTER  
CITY COUNCIL**

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

Name	Rhiannon Owen
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	[REDACTED]
Telephone Number	[REDACTED]

**Premise Details**

Application Ref No	M/245016
Name of Premises	Convenience Store
Address	120 Mauldeth Road, Manchester, M14 6SQ

**Representation**

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

The Licensing and Out of Hours Team have assessed the likely impact of the grant of this application taking into account a number of factors, including the nature of the area in which the premises is located and any potential risk the granting of this licence could lead to issues of public nuisance.

The location of the premises is on Mauldeth Road which is just outside of the main stress area for Withington, however is local to residents and other establishments which could give way to noise nuisance.

The premises wishes to open and serve alcohol from 0700-2300 Monday to Sunday. There are other local shops within feet of this premises, there is a concern that the objectives may not be met with the prevention of noise nuisance. Therefore the LOOH team agree the below conditions should be imposed on the licence.

The LOOH team propose the below conditions are to be upheld –

1. A documented incident log and refusals book shall be kept at the premises for at least 6 months, and made available on request to GMP or an authorised officer of the licensing authority.
2. Staff shall monitor customers smoking and gathering outside the premises on a regular basis and ensure patrons do not cause a public nuisance. A dispersal and policy will be implemented and adhered to.
3. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance
4. The exterior of the building shall be cleared of litter at regular intervals.
5. Notices will be positioned at the exits to the buildings requesting customers to leave in a quiet manner
6. The premises shall install and maintain a comprehensive digital [colour] CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of [28] days with the date and time stamping.
7. Documented staff training should be provided to ensure adequate public safety on the premises, this shall include but not limited to Age Restrictions, signs of drunkenness

and conflict management.

8. The premises shall implement a Challenge 25 Policy to ensure that any person who appears to be under the age of 25 shall provide documented proof they he/she is over 18 years of age. Proof of age shall only comprise of a : Passport, Photo Card Driving Licence, EU/EEA national ID card or similar document, HM Forces Warrant Card, or a card bearing the PASS hologram.
9. All sales of alcohol for consumption off the premises shall be in sealed containers only, and not be consumed on the premises.

Recommendation:

Approve with Conditions (Outlined Above)



From: **Councillor Chris Wills** <[REDACTED]>  
Date: Tue, 31 Mar 2020 at 22:00  
Subject: Re: Premises Licence (new) 245016/BJ1: Convenience Store, 120  
Mauldeth Road, Manchester, M14 6SQ, (Withington ward)  
To: Premises Licensing <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>

Dear Bryan

I am emailing to raise concerns regarding this application. Whilst Ladybarn is not in the Cumulative Impact Policy area, this convenience store would be located near two others that already sell alcohol.

There have been complaints from local residents' groups regarding disruptive behaviour in the local area. Concerns are that an additional outlet for alcohol sales would exacerbate these problems. Therefore it is not something that would help with the prevention of public nuisance, or the prevention of public disorder.

On balance I would therefore not support the off licence aspect of this premises.

Kind regards.

Chris

**Two emails as below:**

From: **Tony Black** <[REDACTED]>  
Date: Sat, 28 Mar 2020 at 10:17  
Subject: Convenience Store 120 Mauldeth Road M14 6SQ (245016/BJ1)  
To: Premises Licensing <[PREMISES.LICENSING@manchester.gov.uk](mailto:PREMISES.LICENSING@manchester.gov.uk)>

Sir, I write to object to this application.

I live round the corner from this shop.  
There are two other places selling alcohol in Ladybarn - a convenience store and the Co-op. We do not need another.  
Every morning I do a litter pick and there is frequently left-over rubbish from drinkers - cans, beer bottles, wine bottles, and so on - which blights our lovely but already declining village.  
I feel another alcohol premises would add to this problem, especially when our students return.  
I ask you to refuse this application.

Anthony Black Community Guardian  
[REDACTED] Withington Manchester [REDACTED]

From: **Tony Black** <[REDACTED]>  
Date: Fri, 13 Mar 2020 at 15:50  
Subject: Convenience store (245016/BJ1)  
To: Premises Licensing <[PREMISES.LICENSING@manchester.gov.uk](mailto:PREMISES.LICENSING@manchester.gov.uk)>

Convenience Store 120 Mauldeth Road M14 6SQ  
I write to object to the selling of alcohol off premises 7am to 11pm every day.  
In Ladybarn we already have a shop near this premises selling alcohol, as does the Co-op across the road.  
I live round the corner on [REDACTED] and every morning I go along the shops picking up litter. Much of it is food wrapping from the many takeaways that have moved into our village, but there is frequently plenty of discarded alcohol cans, wine and spirits bottles.  
I think this application would increase this public nuisance, and I therefore object.

Anthony Black Community Guardian [REDACTED] [REDACTED]

## Premises Licence (new) 245016/BJ1: Convenience Store, 120 Mauldeth Road, Manchester, M14 6SQ

### Fallowfield Community Guardians



Dear Sirs

### **Premises Licence (new) 245016/BJ1: Convenience Store, 120 Mauldeth Road, Manchester, M14 6SQ**

I am writing on behalf of Fallowfield, Ladybarn & Withington Community Guardians to strongly object to a new off licence for the sale of alcohol Monday-Sunday between 7.00am - 11pm at 120 Mauldeth Road, Ladybarn. Although Ladybarn village does not fall within the Cumulative Impact area, there are very high numbers of students living in this mixed residential area and we believe that the reasons for the CIP being established are equally valid for Ladybarn which is so close by and should be brought into consideration when determining this application.

Residents from our CG group feel that the licensing objectives will be undermined if this application is granted. This convenience store is located amongst a small row of commercial retail units, two of which already sell alcohol for off sales. There have been so many issues with alcohol related anti social behaviour in this area in recent years which have caused much distress for local residents. Some long term elderly resident members of our groups live in very close proximity to this address. They daily litter pick the shop frontages in Ladybarn and alcohol litter forms a large proportion of the litter collected. In addition to this, residents are subjected to sports society events which are fuelled by alcohol and occur during the early evening. Please see example tweets which relate to incidents in the Ladybarn area.

As coordinator of the CG group I regularly get emails from distressed residents like this one from a Community Guardian who lives in Ladybarn. Problems that lead to crime and disorder and anti social behaviour require huge council funding to try and resolve these problems. **How can the addition of another off licence in an area with known problems, not undermine the licensing objectives?**

Hi Sue,

Had problem with next door students, they had a sports meet and greet starting at 7-30pm. About 50+ arrived and lads started to strip to waist and run round the garden urinating at the same time with much applause from the girls. My granddaughter was disgusted by this. The police broke up the party as many neighbours watched on. Speaking to poppy at 4pm tonight. After they went to Kingswood park and started to trash the park.

Regards Peter.

The location of a new off licence close to so many student Houses in Multiple Occupation is highly likely to add to increased on-street drinking and associated anti-social behaviour given the experiences and history of problems in this student dominated area. It is not a normal residential area because of the skewed population of young people that are located here during University term times. We also note that many University of Salford students now choose to live in Ladybarn because of easy access by train from Mauldeth Road Station to Salford Crescent. Another off licence in Ladybarn is likely to lead to an increase in public nuisance in terms of noise and litter and the possibility of increased crime and disorder. There is a large amount of evidence to suggest this from the history of problems leading to the implementation of the Cumulative Impact Policy for Fallowfield (2013). Despite the introduction of this policy, levels of anti social behaviour are still a problem due to the number of late night licensed premises that are open. Residents are regularly disturbed at night by loud singing, shouting, chanting and screaming. Other anti social behaviour related to alcohol consumption includes bin tipping, tree vandalism and glass smashing. This can happen during the daytime, evening or early hours but alcohol is a key factor. Early opening hours could also fuel house parties which sometimes go on through the night until mid morning the next day.

There are also a number of rough sleepers in Manchester. An extra off licence facility is likely to attract begging and alcohol dependent people to hang around the village especially as this off licence proposes to open from 7am. Some of these rough sleepers are very aggressive after consuming alcohol and further alcohol supply could also lead to an increase in crime and disorder.

Community Guardians wish to see a reduction in street drinking, noise and anti social behaviour. We feel that another off license premise would add to the significant existing problems and would undermine the Cumulative Impact Policy which exists nearby. Residents therefore request that this application for a new off licence is refused because once an off licence is added to an area it is very difficult and time consuming to prove the harm and get this decision changed.

Yours

Sue Hare  
Community Guardian Coordinator  
Fallowfield, Ladybarn & Withington



From: **Kattie Kincaid** <[REDACTED]>  
Date: Tue, 31 Mar 2020 at 15:33  
Subject: Licence Application 245016/BJ1: Convenience Store, 120 Mauldeth Road, M14 6SQ  
To: Premises Licensing <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>

Dear Sirs/Madam,

Re: Licence Application 245016/BJ1: Convenience Store, 120 Mauldeth Road, M14 6SQ

SEFRG would like to write in support of the objection made by Sue Hare (Community Guardian Coordinator - Fallowfield, Ladybarn and Withington) to this application.

Members of our group are worried that the well documented problems we see in Fallowfield, which have lead to the destruction of a long established residential community, are also now affecting the Ladybarn area. More students are moving to Ladybarn from Salford University because the direct rail service from Mauldeth Road to Salford Crescent and the allure of Fallowfield and this is causing increased levels of anti social behaviour and mob rule. Another licenced premises on this very small strip will only add to these problems and cause more litter, fuel more house parties and create more noise, especially at night.

There is no real community gain to an additional off licence and the effect of another off licence will be damaging. As residents in neighbouring Fallowfield we can clearly see this pattern repeating itself and we know how difficult it is to roll back these licences after they have been granted. The damage has been done. Ladybarn district centre is very small and the effects of an extra off licence will mean that the balance of shops and what they offer to the local community, can soon be skewed towards a very high percentage of licensed premises.

We would like to point out that we are not against all licensed premises per se and we were in fact supportive of a recent planning application to expand a local licensed restaurant but our main concern is about preserving and creating a balanced, diverse and harmonious local community.

Yours faithfully,

Kattie Kincaid  
Chair of SEFRG (South East Fallowfield Residents' Group)

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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. Staff shall be trained (before making sales) in their responsibilities under the Licensing Act 2003. Refresher training shall take place at 6 monthly intervals. All training shall be documented and made available to the authorities on reasonable request.</li> <li>2. A CCTV system shall be in operation at the premises and recorded images shall be retained for a period of 31 days. CCTV images shall be provided to the police and other responsible authorities as soon as practicable and in any case within 48 hours of a request for such images, subject of the provisions of the DPA.</li> <li>3. A register of refusals shall be maintained at the premises. The register shall be examined on a regular basis by the duty manager/ DPS and the date and time of each examination shall be endorsed in the register. The register shall be made available for inspection by the Police and other responsible authorities.</li> <li>4. An incident register shall be maintained at the premises and made available to the authorities upon request.</li> <li>5. A notice shall be on display asking that the customers that they leave the area quietly and respect the local residents.</li> <li>6. The premises shall adopt a 'Challenge 25' Policy. This means that if a customer purchasing alcohol appears to be under the age of 25, they shall be asked for proof of their age, to prove that they are 18 years or older.</li> <li>7. Notices shall be on display advising customers of the Challenge 25 Policy.</li> <li>8. The only forms of identification that shall be accepted at the premises shall be a passport, UK photo-card driving licences, military ID &amp; cards bearing the 'PASS' hologram.</li> </ol>	N/A	Applicant
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
<ol style="list-style-type: none"> <li>9. A documented incident log and refusals book shall be kept at the premises for at least 6 months, and made available on request to GMP or an authorised officer of the licensing authority.</li> <li>10. Staff shall monitor customers smoking and gathering outside the premises on a regular basis and ensure patrons do not cause a public nuisance. A dispersal and policy shall be implemented and adhered to.</li> <li>11. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise</li> </ol>	No	Licensing and Out of Hours

## Schedule of Licence Conditions

<p>to a nuisance.</p> <p>12. The exterior of the premises shall be cleared of litter at regular intervals.</p> <p>13. Notices shall be positioned at the exits to the premises requesting customers to leave in a quiet manner.</p> <p>14. The premises shall install and maintain a comprehensive digital [colour] CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the street environment shall 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.</p> <p>15. Documented staff training shall be provided to ensure adequate public safety on the premises, this shall include but not limited to Age Restrictions, signs of drunkenness and conflict management.</p> <p>16. The premises shall implement a Challenge 25 Policy to ensure that any person who appears to be under the age of 25 shall provide documented proof they he/she is over 18 years of age. Proof of age shall only comprise of a : Passport, Photo Card Driving Licence, EU/EEA national ID card or similar document, HM Forces Warrant Card, or a card bearing the PASS hologram.</p> <p>17. All sales of alcohol for consumption off the premises shall be in sealed containers only, and not be consumed on the premises.</p>		
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of the Local Government Act 1972.

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Sub Committee Hearing Panel – 18 May 2020

**Subject:** Velvet (cobbled area outside), 2 Canal Street, M1 3HE  
Ref: LTN245525

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

**Summary**

Submission of a temporary event notice where an objection notice has been given.

**Recommendations**

That the Panel consider the objection notice(s) and give a counter notice where it considers it appropriate.

**Wards Affected:** Piccadilly

<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 regime will enable growth in our City by supporting businesses who promote the Licensing Objectives.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications. Representations have to be directly related to the licensing objectives.

A liveable and low carbon city: a destination of choice to live, visit and work.	An effective licensing system supports and enables growth and employment in our City with neighbourhoods that provide amenities suitable to the surrounding communities.
A connected city: world class infrastructure and connectivity to drive growth	

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

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

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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
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

## 1. Introduction

- 1.1 On 18 March 2020, a temporary event notice (TEN) was given under s100A of the Licensing Act 2003 in respect of the cobbled area outside Velvet, 2 Canal Street, Manchester, M1 3HE in the Piccadilly ward of Manchester. A location map and photo of the area is attached at **Appendix 1**.
- 1.2 In accordance with Licensing Act 2003 regulations, Greater Manchester Police (GMP) and Licensing Out of Hours Compliance (LOOH) were notified of the TEN.
- 1.3 Where either GMP or LOOH is satisfied that allowing the premises to be used in accordance with the TEN would undermine a licensing objective, they must give an objection notice to the relevant licensing authority, the premises user, and to every other relevant person.
- 1.4 The objection notice must be given no later than three working days after the day on which the objector is given the TEN.
- 1.5 An objection notice has been received in respect of this TEN and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

## 2. The Notice

- 2.1 A copy of the TEN is attached at **Appendix 2**.
- 2.2 There is some background to the TEN being accepted by this team which is attached at **Appendix 3**.
- 2.3 The premises user is Steve Frodsham.
- 2.4 The description of the event is Manchester Pride 2020.
  - 2.4.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this TEN.
  - 2.4.2 Any further details provided relating to any of the individual licensable activities are specified on the TEN at **Appendix 2**.
  - 2.4.3 The premises is subject to a premises licence issued under the Licensing Act 2003. A copy of the licence is included at **Appendix 4**.
  - 2.4.4 The area to be used for the TEN is the same area as the tables and chairs licence area for Velvet. A copy of the plan for the tables and chairs licence is attached at **Appendix 5**.

## 2.5 **Activities unsuitable for children**

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

## 2.6 **Further documentation accompanying the application**

2.6.1 The premises user has not submitted any additional documents in support of the TEN.

## 3. **Objection Notices**

3.1 Objection notices were received from GMP and from LOOH in respect of the TEN (**Appendix 6**). Subsequent correspondence took place between the premises and both objectors. Agreement was reached with LOOH, but not with GMP. All correspondence, and the agreement with LOOK is included in **Appendix 6**.

3.2 Summary of the objections:

Party	Grounds of representation	Recommends
<b>GMP</b>	<p>GMP make representation on the grounds of Crime and Disorder. The reasons are summarised as follows:</p> <ul style="list-style-type: none"> <li>• Sale of alcohol starting at midday on the Friday – before the start of pride - is likely to cause Public Nuisance and a risk to Public Safety if alcohol is consumed on the street with no safety measures in place.</li> <li>• Once Pride has started, a TEN with sale of alcohol and a stage with entertainment until 11pm will present a risk to Pride goers.</li> <li>• The location of Velvet is “a natural route” for people walking between the two Pride sites. An outside stage and bar until 11pm is likely to result in congregation of people queuing for alcohol and then drinking it in the street.</li> <li>• GMP state that “Prior to submitting this Objection, Manchester City Council Licensing Team and the GMP Licensing Team made efforts to contact Steven Frodsham by email and phone to discuss the Temporary Event Notice but no one from Velvet replied to either the Police or Council by phone or email” Copies of the emails sent were attached to the objection.</li> </ul>	Serve a counter notice



<b>Licensing and Out of Hours Compliance</b>	<b>AGREED -</b> The objection, subsequent emails and the agreement are included at <b>Appendix 6.</b>	Counter notice not served
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#### **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**

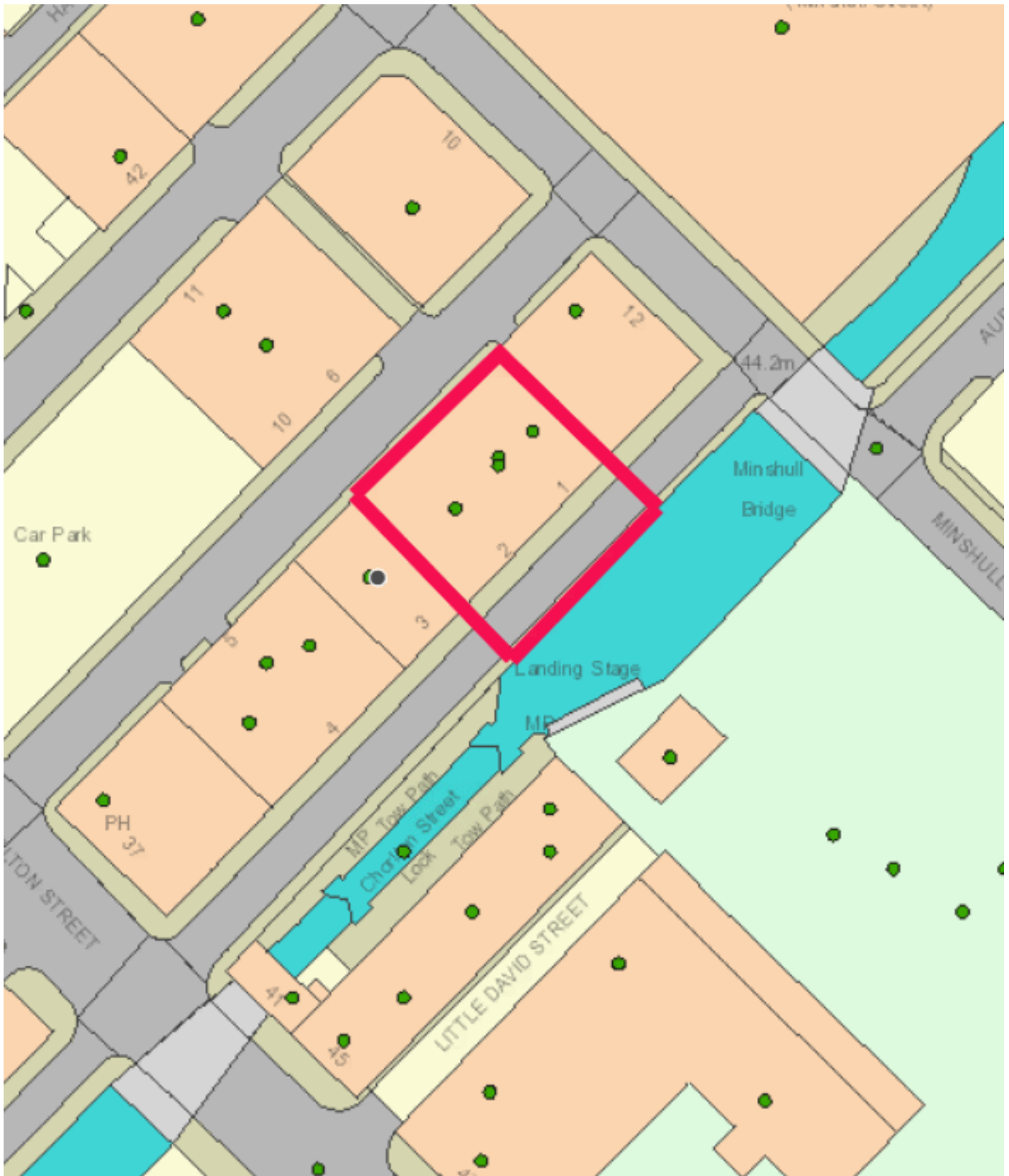
- 4.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must ‘have regard to’ its statement of licensing policy.
- 4.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and 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 Where the authority considers that to impose on the TEN one or more of the conditions from a premises licence or club premises certificate in force at the premises (insofar as such conditions are not inconsistent with the event) is appropriate for the promotion of the licencing objectives, the policy is to give notice to the premises user that includes a statement of the conditions imposed. Copies of this notice will be provided for GMP and LOOH.
- 4.5.5 Where, following any representations at the hearing, the licensing authority is not satisfied the event will ensure the promotion of the licensing objectives, the policy is to issue a counter-notice against the Temporary Event Notice.

#### 5. **Conclusion**

- 5.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 5.2 In considering the matter, the Panel should take into account any objections that have been received from GMP or LOOH, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 5.3 Having regard to the objection notice(s), the panel must give the premises user a counter notice if it considers it appropriate for the promotion of a licensing objective to do so.

- 5.4 If the panel decides not to give a counter notice the panel may impose one or more conditions on the TEN if –
- the authority considers it appropriate for the promotion of the licensing objectives to do so,
  - the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and
  - the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.
- 5.5 All licensing determinations should be considered on the individual merits of the notification.
- 5.6 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 5.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 6. The Panel is asked to determine the temporary event notice**

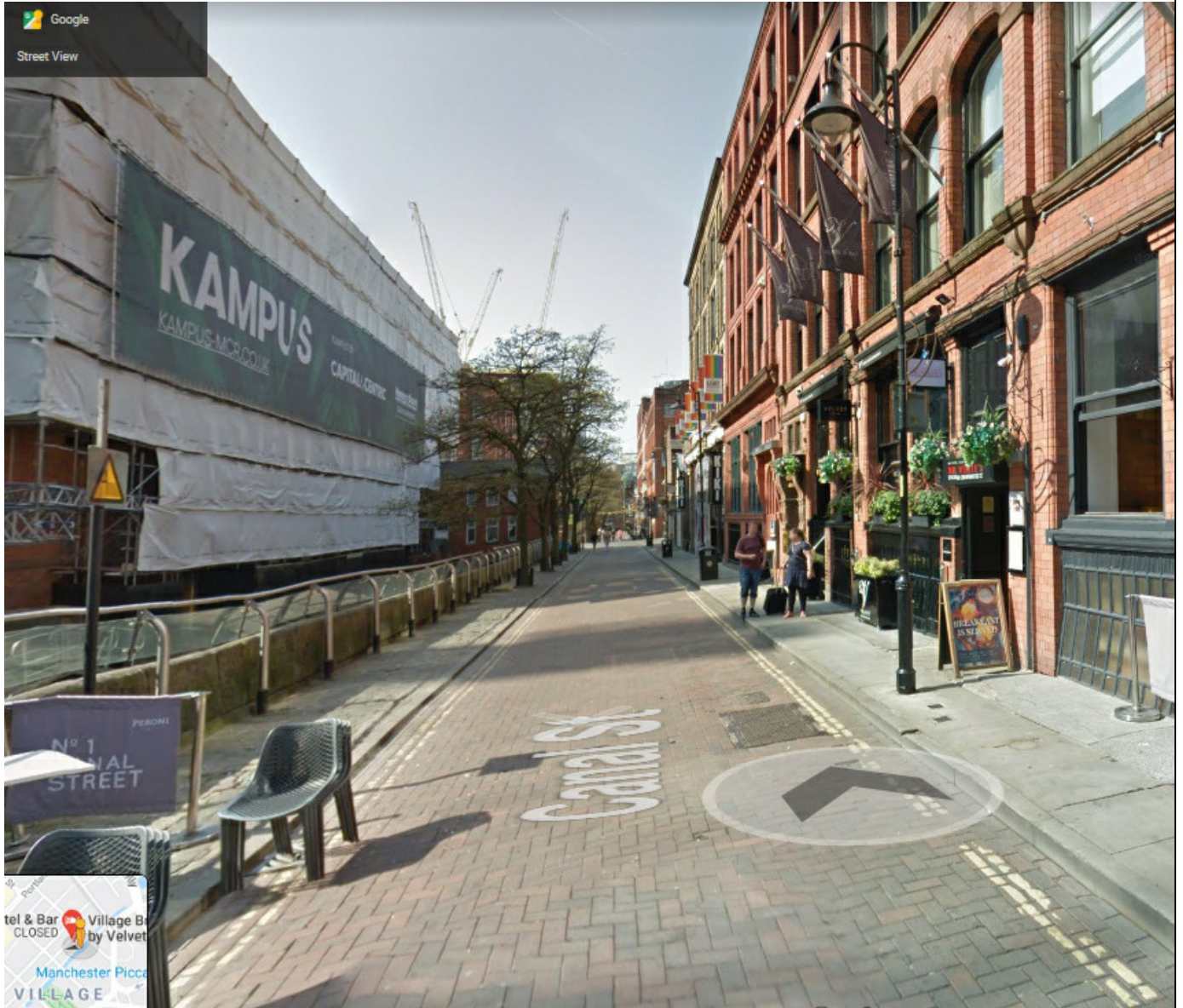
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Velvet (cobbled area outside)  
2 Canal Street, Manchester, M1 3HE

Premises Licensing  
Manchester City Council

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Survey100019568.



<b>PREMISE NAME:</b>	Velvet (cobbled area outside)
<b>PREMISE ADDRESS:</b>	Velvet, 2 Canal Street, Manchester, M1 3HE
<b>WARD:</b>	Piccadilly
<b>HEARING DATE:</b>	



**Send completed form to:**  
Premises.licensing@manchester.gov.uk

### Temporary Event Notice

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

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	Frodsham		
Forenames	Steven		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth		Day	Month
4. Your place of birth			
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
[Redacted Address]			
Post town		Post code	
[Redacted Post town]		[Redacted Post code]	
7. Other contact details			
Telephone numbers			
Daytime		[Redacted Daytime Number]	
Evening (optional)			
Mobile (optional)		[Redacted Mobile Number]	
Fax number (optional)			
E-Mail Address (if available)		[Redacted E-Mail Address]	

8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
KRO Hotels Manchester M1 Ltd, t/a Velvet Hotel, Restaurant & Bar, 2 Canal St	
Post town Manchester	Post code M1 3HE
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address (if available)	
<b>2. The premises</b>	
Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)	
Velvet Hotel, Restaurant & Bar, 2 Canal St, Manchester M1 3HE	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
We intend to use and restrict access to the cobbled pavement, outside of the premises across the street and separately, the area directly under our bar windows, which is in the same area as our table & chairs license covers (210001)	
Please describe the nature of the premises below. (Please read note 4)	
Velvet – Hotel, Restaurant & Bar	
Please describe the nature of the event below. (Please read note 5)	
A. Manchester Pride (28 Aug – 31st Aug 2020) – Velvet’s outdoor entertainment b. Erection of Stage area on the cobbled pavement opposite the premises (27 Aug / 4pm) which will remain until its demolition (01st Sep prior to 11am) i. Staging area will be 4m x 2.5m, made from responsibly sourced timber with a fire proof protective coating. ii. Staging will have an advertising board at the back no	



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3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input checked="" type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)		
Friday 28th Aug – Monday 31st Aug 2020		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)		
12:00 – 23:00		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)	200	
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 11)	On the premises only	<input type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input checked="" type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 12)
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4. Personal licence holders (Please read note 12)		
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	Manchester City Council	
Licence number	138329	
Date of issue	18/08/2011	
Date of expiry	01/01/2049	
Any further relevant details	N/a	

5. Previous temporary event notices you have given (Please read note 13)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 14)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)		
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

<b>7. Checklist (Please read note 15)</b>	
I shall (Please mark the appropriate boxes with an "X" )	
Send at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Send a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, send at least one copy of this notice to each additional licensing authority	<input checked="" type="checkbox"/>
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	<input checked="" type="checkbox"/>
If the premises are situated in one or more local authority areas, send a copy of this notice to each additional local authority exercising environmental health functions	<input checked="" type="checkbox"/>
Make or enclose payment of the fee for the application	<input checked="" type="checkbox"/>
Sign the declaration in Section 9 below	<input checked="" type="checkbox"/>
<b>8. Condition (Please read note 16)</b>	
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.	

<b>9. Declarations (Please read note 17)</b>	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence: (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	S Frodsham
Date	11/03/2020

Name of Person signing	Steven Frodsham
------------------------	-----------------

For completion by the licensing authority

10. Acknowledgement (Please read note 18)	
I acknowledge receipt of this temporary event notice. <b>Helen</b>	
Signature	<b>Howden</b> Digitally signed by Helen Howden DN: CN = Helen Howden email = premises.licensing@manchester.gov.uk C = GB O = Manchester City Council
Date	18/03/2020 OU = Premises Licensing Team Date: 2020.03.18 17:23:32 Z
Name of Officer signing	Helen Howden



## Section 2

Premises Licence Number - 113702

## Section 2

Please describe the nature of the event below:

- a. Manchester Pride (28th Aug – 31st Aug 2019) – Velvet’s outdoor entertainment
- b. Erection of Stage area on the cobbled pavement opposite the premises (27th Aug @ 4pm) which will remain until its demolition (01<sup>st</sup> Sep prior to 11am)
  - i. Staging area will be 4m x 2.5m, made from responsibly sourced timber with a fire proof protective coating.
  - ii. Staging will have an advertising board at the back no longer than the width 4m and no higher than 2.5m
  - iii. Staging will have power supplied via Velvet Bar from over head armoured power cables connected to a weather proof junction box at the stage area
- c. Erection of bunting and power supply overhead to the cobbled area opposite the premises (27th Aug, 4pm) which will remain until its demolition (01<sup>st</sup> Sep prior to 11am)
- d. During the pride event outside entertainment in the form of live music performances, and pre-recorded music from DJs will be limited between the hours of:
  - i. Friday 28th Aug 11am – 11pm
  - ii. Saturday 29th Aug 11am – 11pm
  - iii. Sunday 30<sup>th</sup> Aug 11am – 11pm
  - iv. Monday 31st Aug 11am – 6pm
- e. We will have portable bar running next to the side of the staging area on the cobbled pavement opposite the premises and directly under our windows and to ensure all licensing conditions are adhered to the bar will be managed by one of Velvets management team and team member with additional security at the venue provided by serenity security, the portable bars will be stored away inside the venue when not being used and when outside of the operational hours detailed below:
  - i. Friday 28th Aug 11am – 11pm
  - ii. Saturday 29<sup>th</sup> Aug 11am – 11pm
  - iii. Sunday 30<sup>th</sup> Aug 11am – 11pm
  - iv. Monday 31st Aug 11am – 6pm

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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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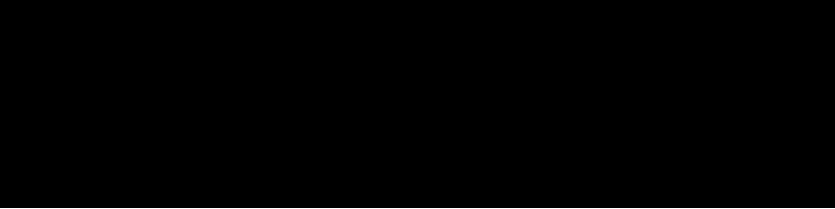


----- Forwarded message -----

From: **Premises Licensing** <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>

Date: Wed, 18 Mar 2020 at 16:36

Subject: Re: URGENT - PLEASE CONFIRM: Application for TEN - Cobbled area outside Velvet (ref 245525CJ/HH)



Hi Steven

We have not had a response to the emails that were sent giving you the opportunity to make amendments to the above TEN. I have spoken to Kev Allen in your office, and have left you a voicemail message to let you know that I will accept and start processing the TEN that was submitted before I leave the office today. Until I do so there is still the opportunity to make amendments, but you would need to contact me **before 5pm** either via this email address or on .

Kind regards,

On Tue, 17 Mar 2020 at 09:41, Premises Licensing  
<[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)> wrote:

Hi Steven

I can see that you have made payment for the above TEN. I emailed you on Saturday to ask whether you would like us to process the TEN as submitted, or whether you would like to take the opportunity to amend it before we start processing.

Please could I ask you to reply to this email as soon as possible to let me know how you wish to proceed? I won't start processing until I receive your response.

Kind regards,

On Sat, 14 Mar 2020 at 10:51, Premises Licensing  
<[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)> wrote:

Hi Steven

We received your TEN on 12 March and, before we processed it, the email below was received from Simon Braithwaite. the purpose of this email is just to let you know that I have logged the TEN as a draft TEN and you have the opportunity to amend it should you choose to do so.

Please could I ask you to reply to this email either with an amended TEN, or to confirm that you would like us to process the TEN you submitted on 12 March. I can

see that we have sent you an email to make payment however there is no need to make the payment until this has been resolved, we will contact you to confirm when the payment should be made.

I hope this is of assistance.

Kind regards, [REDACTED]  
[REDACTED]

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

From: <[Simon.Braithwaite@gmp.police.uk](mailto:Simon.Braithwaite@gmp.police.uk)>

Date: Fri, 13 Mar 2020 at 09:00

Subject: RE: Application for TEN

Morning Steven,

As per the email I sent out earlier in the week, the timings you have requested means that we would submit an objection to the TEN as it currently stands, based on:

- Midday start on Friday – Pride doesn't start until 5pm on the Friday.
- 11pm finish on the Monday – Pride officially finishes at 8pm on the Monday, prior to the vigil.
- 11pm finish Friday & Saturday – due to the influx of thousands of people from the Mayfield site when the events finish there, we have asked that all outside stages and bars finish by 10pm in an effort to reduce overcrowding on the street prior to their arrival and keep Pride goes as safe as possible.

If you're able to adjust the timings to fit in with the above, which will also fit in what all other venues I have spoken to are willing to do, there won't be an objection from GMP.

Thanks

Simon

**PC 11680 Braithwaite  
Gay Village, Piccadilly & China Town Licensing Officer  
The Town Hall Extension  
First Floor  
Lloyd Street  
Manchester City Centre  
M2 5DB**

**Tel : 0161 856 0036 / 0161 872 5050  
Email : [11680@gmp.pnn.police.uk](mailto:11680@gmp.pnn.police.uk)**

Twitter: @gmpcitycentre

**From:** [REDACTED]  
**Sent:** 12 March 2020 17:17  
**To:** Premises Licensing; Alan Isherwood; Simon Braithwaite; Niall Johnson  
**Subject:** RE: Application for TEN

Good Afternoon

Please see attached application for approval

Kind Regards

Steve

Steven Frodsham |  
KRO Hospitality Limited  
[REDACTED]  
[REDACTED]

You can access many of our services online at [www.gmp.police.uk](http://www.gmp.police.uk).

For emergencies only call 999, or 101 if it's a less urgent matter.

You can also connect with us on:

- o Facebook: [www.facebook.com/GtrManchesterPolice](http://www.facebook.com/GtrManchesterPolice)
- Twitter: [www.twitter.com/gmpolice](http://www.twitter.com/gmpolice)
- Instagram: [www.instagram.com/gtrmanchesterpolic](http://www.instagram.com/gtrmanchesterpolic)
- Flickr: [www.flickr.com/gmpolice1](http://www.flickr.com/gmpolice1)
- YouTube: [www.youtube.com/gmpolice](http://www.youtube.com/gmpolice)
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To find out what is happening in your area, visit [www.gmp.police.uk/a/your-area](http://www.gmp.police.uk/a/your-area) where you will be able to follow local social media accounts.

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of the Local Government Act 1972.

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# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	113702
Granted	26/11/2008
Latest version	Correction 07/05/2020

### Part 1 - Premises details

<b>Name and address of premises</b>
Velvet & Velvet Hotel 2 Canal Street, Manchester, M1 3HE
<b>Telephone number</b>
0161 236 9003

<b>Licensable activities authorised by the licence</b>
<ol style="list-style-type: none"> <li>The sale by retail of alcohol*.</li> <li>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.</li> <li>The provision of late night refreshment.</li> </ol> <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

<b>The times the licence authorises the carrying out of licensable activities</b>
---

<b>Sale by retail of alcohol</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0200	0200	0200	0200	0200	0200	0200
The sale of alcohol is licensed for consumption both on and off the premises.							
<b>Seasonal variations and Non standard Timings:</b>							
Sale of alcohol to hotel residents and their bona fide guest: Start 0000 Finish 2400							
Pride Weekend: Trading to be extended until 0400 on the Friday, Saturday, Sunday and Monday.							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day							

<b>Recorded music;</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0000	0000	0000	0000	0000	0000	0000
Finish	2400	2400	2400	2400	2400	2400	2400
Licensed to take place indoors only.							
<b>Seasonal variations and Non standard Timings:</b>							
None							

**Live music; Performances of dance; Anything similar to live music, recorded music or the performance of dance;****Standard timings**

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0200	0200	0200	0200	0200	0200	0200

Licensed to take place indoors only.

**Seasonal variations and Non standard Timings:**Pride Weekend: Trading to be extended until 0400 on the Friday, Saturday, Sunday and Monday.New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day**Provision of late night refreshment****Standard timings**

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0500	0500	0500	0500	0500	0500	0500

Licensed to take place indoors 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**Hours premises are open to the public****Standard timings**

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0000	0000	0000	0000	0000	0000	0000
Finish	2400	2400	2400	2400	2400	2400	2400

**Seasonal variations and Non standard Timings:**

None

**Part 2****Details of premises licence holder**

<b>Name:</b>	KRO Hotels Manchester M1 Ltd
<b>Address:</b>	67 Shrewsbury Road, Prestwich, Manchester, M25 9GQ
<b>Registered number:</b>	10811127

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

<b>Name:</b>	Mr Steven Frodsham
<b>Address:</b>	
<b>Personal Licence number:</b>	138329
<b>Issuing Authority:</b>	Manchester City Council

**Annex 1 – Mandatory conditions****Door Supervisors**

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



**Supply of alcohol**

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

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

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

## Annex 2 – Conditions consistent with the operating schedule

1. All staff and management shall be provided with adequate and suitable training to enable them to deal with incidents of disorder within the premises.
2. An appropriate number of SIA registered door staff shall be employed at the premises.
3. The management shall conduct an ongoing risk assessment in relation to the security at the premises and if necessary an effective search policy of the premises and or patrons shall be implemented to prevent drugs or offensive weapons being brought onto the premises.
4. 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.
5. 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.
6. A safety plan shall be implemented that shall include fire, electrical safety and maintenance inspections.
7. Firefighting equipment shall be maintained and serviced.
8. The licence holder will liaise with Greater Manchester Fire Service and other Responsible Authorities with regards to public safety, the prevention of public nuisance and the prevention of crime and disorder within the premises and act on any recommendation promptly.
9. The premises will have valid and appropriate public liability insurance.
10. All external bottle banks shall be kept secure.
11. The management and staff will ensure that glasses are collected regularly. Staff will make regular inspections for broken glass and any broken glass found will be cleared away immediately by staff.
12. Notices providing taxi firm numbers will be displayed near the exits of the premises. Only taxi companies using ring back facilities shall be provided.
13. An adequate number of litter bins shall be provided and emptied on a regular basis.
14. Litter should be removed from outside the premises at regular intervals.
15. Refuse shall be regularly removed from the premises in a manner so as not to cause unreasonable disturbance to local residents.
16. 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.
17. Staff will ensure customers do not congregate outside the premises.
18. No external speakers shall be operated from the premises.
19. Staff shall avoid the emptying of bins into skips, especially if they contain glass, either late at night or early in the morning.
20. No person under the age of 18 shall be permitted on the premises at any time the premises is open to the public.
21. Staff will be provided with comprehensive, ongoing training to make them aware of all legislation relevant to their employment.
22. Vermin proof bags shall be used at the premises.

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

1. All staff should be trained with regards to the Challenge 21 policy and forms of acceptable ID. Staff should also be trained to look out for and take action to prevent proxy sales taking place. This training should be recorded in writing. Training should be repeated on regular basis and details of repeat training should also be recorded in writing.
2. The premises should display appropriate signage indicating that it is an offence to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.
3. The applicant mentions that all staff will undergo training in relation to licensing legislation and dealing with incidents of disorder. The police request that all training is documented and given to all staff concerned in the sale of alcohol. The training should take place every 4-6 months.
4. When premises are being used for external promoted events then the City Safe and events office at Bootle Street Police Station must be notified at least 28 days prior to the event taking place in order that a risk assessment be carried out in relation to any such event.
5. A documented dispersal policy.
6. A documented policy in relation to the outside smoking area.
7. When door staff are employed a written record shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as a door supervisor in a register kept for that purpose. That record shall contain the following details:-
  - (i) the door supervisor's name, date of birth and home address;
  - (ii) his/her Security Industry Authority licence number;
  - (iii) the time and date he/she starts and finishes duty;
  - (iv) the time of any breaks taken whilst on duty;
  - (v) each entry shall be signed by the door supervisor.

That register shall be available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable.
8. The external seating area will be clearly defined with a physical structure to ensure customers do not stray beyond the permitted area with alcohol.
9. A member of staff will be designated to monitor the outside drinking area when it is in use.

**Annex 4 – Plans**

See attached

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

Document is Restricted

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## GREATER MANCHESTER POLICE



To: Manchester City Council  
Licensing Unit  
Manchester Town Hall Extension  
Lloyd Street  
Manchester

To: [REDACTED]

Monday 23<sup>rd</sup> March 2020

Dear Sir, Ma'am,

Please accept this letter as formal notification that Greater Manchester Police wish to object, under Section 104(2) of the Licensing Act 2003, to the **TEMPORARY EVENT NOTICE** detailed below, as we are satisfied that granting the application under these circumstances would undermine the Licensing Objectives.

<b>PREMISES NAME:</b>	<b>Velvet Hotel, Restaurant and Bar</b>
<b>ADDRESS:</b>	2 Canal Street Manchester M1 3HE
<b>DATE OF EVENT:</b>	28 <sup>th</sup> to 31 <sup>st</sup> August 2020
<b>TIME OF EVENT:</b>	12:00 to 23:00 each night

GMP objects to the granting of this Temporary Event Notice on the grounds of Public Safety and The Prevention of Public Nuisance.

The Temporary Event Notice application is for an outside bar and stage on Canal Street, next to the canal wall opposite Velvet, and is for the sale of alcohol, late night refreshment and the provision of regulated entertainment during the Pride festival, from midday to 23:00 hours, from Friday 28<sup>th</sup> to Monday 31<sup>st</sup> August 2020.

The Pride festival operates within the Gay Village area of Manchester City Centre, and in order for the festival to operate effectively, it relies on a TTRO (Temporary Traffic Regulation Order) to restrict vehicle access and effectively close the roads within the Gay Village area to all vehicles, and this relies on the cooperation of venue owners and operators to operate temporary bars and stages in a safe and sensible manner to ensure the safety of Pride goers and staff – there is long standing cooperation between licensed venue operators and owners in the Gay Village, GMP

## GREATER MANCHESTER POLICE

Licensing Team, Manchester City Council and the Pride organisers regarding this. The TTRO, and the cooperation of the above parties allows the PSPO (Public Spaces Protection Order, which effectively bans alcohol from being consumed on the street in Manchester City Centre) to be relaxed from 17:00 hours on the Friday of Pride, until the conclusion of Pride on the following Monday.

Prior to the start of Pride, the Gay Village operates as it does throughout the rest of the year – with no TTRO in place, and no security staff, police officers or other security provisions dedicated to the managing and safety of members of the public in the Gay Village - to begin to sell alcohol from midday on the Friday is likely to cause Public Nuisance and a risk to Public Safety, if alcohol is being consumed on the street with no safety measures in place due to:

- Staff from Velvet will have limited or no powers to prevent people who buy alcohol from their temporary bar consuming it on the street in breach of the PSPO.
- At that time other venues along Canal Street will be constructing outside stages and outside bars, and taking deliveries of stock, and vehicles are likely to be passing outside of Velvet.
- The Pride organisers will be finalising the movements of equipment within site at that time. Starting the Temporary Event Notice from midday on Friday, and selling alcohol from then, and having an outside stage with entertainment, will therefore cause an obvious risk to Public Safety.

From 20:00 hours on the Monday of the Pride festival, the TTRO ceases to be in place and the roads are effectively open to the public again. Applying to sell alcohol and have a stage with entertainment on Canal Street until 23:00 hours will cause obvious risks to the Public Safety of Pride goers.

Manchester Pride operates two event sites as part of the Manchester Pride weekend. One site is the Gay Village. The second is at The Mayfield Depot, which since 2019 is a separate event site for Pride, which stages all day music and entertainment events on the Saturday and Sunday of Pride. Customers who buy tickets for the Mayfield Depot are also granted access into the licensed venues and other Pride attractions within the Gay Village part of Pride. Up to 17,500 people attend the Mayfield Depot part of Pride each day, on the Saturday and the Sunday. From my experience of working at Pride in 2019, when the Mayfield Depot closes from 23:00 hours, thousands of people will make the short journey (approximately a 5 minute walk) from the Mayfield Depot to the Gay Village to continue the festivities.

The location of Velvet, at the top end of Canal Street, is a natural route to walk into the Gay Village from the Mayfield Depot. If the outside stage has entertainment on, and the outside bar is selling alcohol until 23:00 hours, it's likely to attract customers to congregate outside to queue for alcohol, purchase and consume it on the street. It is for this reason that prior to Velvet submitting this Temporary Event Notice, all licensed venues in the Village, including Velvet, were invited to the monthly Village Business Association meeting on Wednesday 4<sup>th</sup> March 2020, to discuss Temporary Event Notices for Pride, and following the meeting, on Monday 9<sup>th</sup> March, I emailed guidance, (copy attached), to Gay Village operators and owners of licensed premises, including to the Velvet DPS Kim Krohn (sent to kim@krohospitality.co.uk), with what were considered reasonable guidelines for the submitting of Temporary Event Notices for outside bars and stages during Pride, the guidelines having been agreed previously between the GMP Licensing Team and the Manchester City Council Out of Hours Team, to help ensure a safe and fair Pride. One of those guidelines was to not operate outside bars and stages past 22:00 hours in order to



**GREATER MANCHESTER POLICE**

help reduce the numbers of Pride goers on the Gay Village streets, especially Canal Street, and to encourage people to go into licensed venues so that when the influx of people from the Mayfield Depot to the Gay Village starts from 23:00 hours, the Public Safety of Pride goers has been considered and reasonable steps taken to try and ensure their safety by outside bars and stages closing by 22:00 hours to reduce numbers on the street. The Gay Village attracts up to 50,000 people during peak times of Pride, in what is a relatively small space.

Prior to submitting this Objection, Manchester City Council Licensing Team and the GMP Licensing Team made efforts to contact Steven Frodsham by email and phone to discuss the Temporary Event Notice but no one from Velvet replied to either the Police or Council by phone or email (copies of emails attached).

At the time of submitting this Objection, no other venues from the Gay Village have requested to operate outside bars or stages past 22:00 hours. The cooperation of all venue operators is an essential part of a safe Pride event.

As such we ask that this TEN application is refused.

Signed:.....PC 11680 Braithwaite..... (rank/pin/name)

Date/Time: Monday 23<sup>rd</sup> March 2020, 11:00 hours.

**EMAILS ATTACHED TO OBJECTION SUBMITTED BY GMP**

Subject: RE: Application for TEN

**Simon.Braithwaite@gmp.police.uk**

Wed, 18 Mar,  
13:30

to steven

Hi Steven

Just tried calling you....can you send me a quick email re your conversation with Kim re Pride TENS

Thanks

Simon

**PC 11680 Braithwaite  
Gay Village, Piccadilly & China Town Licensing Officer  
The Town Hall Extension  
First Floor  
Lloyd Street  
Manchester City Centre  
M2 5DB**

**Tel : 0161 856 0036 / 0161 872 5050**

**Email : [11680@gmp.pnn.police.uk](mailto:11680@gmp.pnn.police.uk)**

**Twitter: @gmpcitycentre**

**From:** [REDACTED]

**Sent:** 12 March 2020 17:17

**To:** Premises Licensing; Alan Isherwood; Simon Braithwaite; Niall Johnson

**Subject:** RE: Application for TEN

Good Afternoon

Please see attached application for approval

Kind Regards

Steve

Steven Frodsham |  
KRO Hospitality Limited  
[REDACTED]  
[REDACTED]

**EMAILS ATTACHED TO OBJECTION SUBMITTED BY GMP**

Subject: Pride TENS

**Simon.Braithwaite@gmp.police.uk**Mon, 9 Mar,  
18:13

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

All,

Following on from the VLBA last Wednesday where TENS for Pride were discussed, as per the conversation at the meeting, if you submit TENS for outside bars and stages on the following basis, there won't be an objection by GMP or MCC (pending anything which is currently unknown that may arise):

- Friday – within the following times – 4pm to 10pm
- Saturday & Sunday - within the following times - midday to 10pm
- Monday - within the following times – midday to 8pm
- For Canal Street, all bars and stages will be on the cobbled area (i.e. next to the canal wall)
- For venues not on Canal Street, the bars / stages will not cause unreasonable obstruction of the pavement (please discuss with me re sizes prior to submitting TEN if you have concerns)
- A senior member of venue staff will have overall responsibility for the outside bars / stages
- A member of SIA staff will continually monitor the outside bar / stages, especially during peak times
- The DPS will ensure reasonable steps are taken to keep the area around the outside bar / stage clean and free from obstruction
- At the request of GMP or MCC, licensable activity will cease for a short period of time if the area around the bar / stage has become so busy it restricts access past it, or it has become a danger to Pride goers (please continually monitor this and take proactive action yourself, don't wait for GMP/MCC instruction. We found last year that at peak times, turning music off for a short period immediately stopped any crushing around the bar / stage).

Please include the above detail – and also include the size of the bar / stage you're using, in TEN applications.

Hopefully you find the above reasonable and can comply with it to make it as fair as possible for all venues. Feel free to call / email if you want to discuss further.

The above is separate from the question of an additional hour of outside drinking, I'll get back to you with a response asap re that.

Thanks

Simon  
**PC 11680 Braithwaite**

**EMAILS ATTACHED TO OBJECTION SUBMITTED BY GMP**

Subject: Re: URGENT - PLEASE CONFIRM: Application for TEN - Cobbled area outside Velvet (ref 245525CJ/HH)

**premises.licensing@manchester.gov.uk**

Wed, 18 Mar,  
16:36

to steven, Simon.Braithwaite, Alan.Isherwood, CentralLicensing, niall.johnson

Hi Steven

We have not had a response to the emails that were sent giving you the opportunity to make amendments to the above TEN. I have spoken to Kev Allen in your office, and have left you a voicemail message to let you know that I will accept and start processing the TEN that was submitted before I leave the office today. Until I do so there is still the opportunity to make amendments, but you would need to contact me **before 5pm** either via this email address or on [REDACTED].

Kind regards, [REDACTED]

On Tue, 17 Mar 2020 at 09:41, Premises Licensing  
<[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)> wrote:  
Hi Steven

I can see that you have made payment for the above TEN. I emailed you on Saturday to ask whether you would like us to process the TEN as submitted, or whether you would like to take the opportunity to amend it before we start processing.

Please could I ask you to reply to this email as soon as possible to let me know how you wish to proceed? I won't start processing until I receive your response.

Kind regards, [REDACTED]

On Sat, 14 Mar 2020 at 10:51, Premises Licensing  
<[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)> wrote:  
Hi Steven

We received your TEN on 12 March and, before we processed it, the email below was received from Simon Braithwaite. the purpose of this email is just to let you know that I have logged the TEN as a draft TEN and you have the opportunity to amend it should you choose to do so.

Please could I ask you to reply to this email either with an amended TEN, or to confirm that you would like us to process the TEN you submitted on 12 March. I can see that we have sent you an email to make payment however there is no need to make the payment until this has been resolved, we will contact you to confirm when the payment should be made.

I hope this is of assistance.

Kind regards, [REDACTED]

**EMAILS ATTACHED TO OBJECTION SUBMITTED BY GMP**

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

From: <[Simon.Braithwaite@gmp.police.uk](mailto:Simon.Braithwaite@gmp.police.uk)>

Date: Fri, 13 Mar 2020 at 09:00

Subject: RE: Application for TEN

To: [REDACTED]  
[REDACTED]

Morning Steven,

As per the email I sent out earlier in the week, the timings you have requested means that we would submit an objection to the TEN as it currently stands, based on:

- Midday start on Friday – Pride doesn't start until 5pm on the Friday.
- 11pm finish on the Monday – Pride officially finishes at 8pm on the Monday, prior to the vigil.
- 11pm finish Friday & Saturday – due to the influx of thousands of people from the Mayfield site when the events finish there, we have asked that all outside stages and bars finish by 10pm in an effort to reduce overcrowding on the street prior to their arrival and keep Pride goes as safe as possible.

If you're able to adjust the timings to fit in with the above, which will also fit in what all other venues I have spoken to are willing to do, there won't be an objection from GMP.

Thanks

Simon

**PC 11680 Braithwaite**

**From:** [REDACTED]

**Sent:** 12 March 2020 17:17

**To:** Premises Licensing; Alan Isherwood; Simon Braithwaite; Niall Johnson

**Subject:** RE: Application for TEN

Good Afternoon

Please see attached application for approval

Kind Regards

Steve

Steven Frodsham |  
[REDACTED]  
[REDACTED]  
[REDACTED]

**CORRESPONDENCE BETWEEN GMP AND KIM EIVIND KROHN  
FOLLOWING OBJECTION – AGREEMENT NOT REACHED**

From: [REDACTED]  
Date: Thu, 2 Apr 2020 at 10:12  
Subject: RE: Objection to Velvet Pride Temporary Event Notice  
To: [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Thanks Simon

You have seen my previous email as we now have an objection for the entertainment too so its getting to the point where I need to instruct support and prepare for the hearing.

I cant allow pride to happen with out having our entertainment outside as you know how quiet it gets if not –

I would reconsider the 10pm, but as above its now an objection in full so a hearing will be the best option

I wish the same effort could have been made when we make complaints about our neighbours causing noise issues every week from its club, something that not just damaging us financially but also reputation – read our online reviews!

Thanks

Kim Eivind Krohn | Managing Director  
KRO Hospitality Limited | Velvet Hotel | 2 Canal Street | Manchester | M1 3HE  
[REDACTED]  
[REDACTED]

**From:** [Simon.Braithwaite@gmp.police.uk](mailto:Simon.Braithwaite@gmp.police.uk) <[Simon.Braithwaite@gmp.police.uk](mailto:Simon.Braithwaite@gmp.police.uk)>  
**Sent:** 02 April 2020 10:09  
**To:** [REDACTED]  
[REDACTED]  
[REDACTED]  
**Subject:** RE: Objection to Velvet Pride Temporary Event Notice

Thanks Kim.

I asked the question to Michael Lever re Canal Street and he confirmed they'd need to whole of Canal Street until 5pm and can attend the hearing if required to confirm this.

In terms of the outside entertainment on Canal Street, with the influx of people from Mayfield into the Village from 11pm the 10pm cut off for both entertainment and alcohol will help to reduce the numbers on the street from 10pm.

If you're not able to agree on this we will proceed to hearing.

Thanks,  
Simon **PC 11680 Braithwaite**

## CORRESPONDENCE BETWEEN GMP AND KIM EIVIND KROHN FOLLOWING OBJECTION – AGREEMENT NOT REACHED

**From:** Kim Eivind Krohn [REDACTED]  
**Sent:** 02 April 2020 09:36  
**To:** Simon Braithwaite  
**Cc:** [REDACTED]  
**Subject:** RE: Objection to Velvet Pride Temporary Event Notice

Hi Simon

Not a problem

The only issue I have is the Friday – we already have a license from 1pm on Fridays as our part of canal street closes at 1pm every Friday and during pride -we have had no notification from Pride that this is changing this weekend – when I spoke to the organisers earlier this year there would be no changes as per last year – so we would like to have the license on Friday from 1pm

I understand the lower part of canal street will still be open until 5pm so they wont be able to apply for this.

I can agree to serving of alcohol until 10pm, but we would like the music until 11pm, only reason for this is that if we close bars and music at the same time it will be chaos and we wouldn't be comfortable from a H&S point.

We propose to compromise on below

**Friday 1pm – 10 pm, (of course if there are any changes in the closure of canal street then this needs to be consulted with license holders and MCC)**

**Saturday / Sunday** – outside stage entertainment and the bar for outside alcohol sales (on the cobbled area of Canal Street/where the table and chair license parameter))) will start no earlier than midday and will finish by 10pm for bar service and 11pm entertainment at the latest

**Monday** - outside stage entertainment and the bar for outside alcohol sales (on the cobbled area of Canal Street/where the table and chair license parameter)) will start no earlier than midday and sales will finish by 8pm at the latest. (As per your email you might not use it at all but you have the option to at least).

Let me know if this is agreeable

Regards

Kim

Kim Eivind Krohn | Managing Director  
KRO Hospitality Limited | Velvet Hotel | 2 Canal Street | Manchester | M1 3HE  
[REDACTED]  
[REDACTED]

## CORRESPONDENCE BETWEEN GMP AND KIM EIVIND KROHN FOLLOWING OBJECTION – AGREEMENT NOT REACHED

**From:** [Simon.Braithwaite@gmp.police.uk](mailto:Simon.Braithwaite@gmp.police.uk) <[Simon.Braithwaite@gmp.police.uk](mailto:Simon.Braithwaite@gmp.police.uk)>

**Sent:** 02 April 2020 09:23

**To:** Kim Eivind Krohn [REDACTED]

**Cc:** [REDACTED]  
[REDACTED]  
[REDACTED]

**Subject:** RE: Objection to Velvet Pride Temporary Event Notice

Morning Kim,

Apologies for not calling back, I've been seconded to another role for the time being with all the Covid issues but am still picking up anything Licensing related with help from Alan Isherwood who you spoke to about the TEN.

With the aim of reaching agreement and avoiding going to a hearing if possible, and to make sure I've fully understood your email and conversation with Alan, are you happy to agree the TEN for Pride 2020 based on the following :

**Friday / Saturday / Sunday** – outside stage entertainment and the bar for outside alcohol sales (on the cobbled area of Canal Street) will start no earlier than midday and will finish by 10pm at the latest.

**Monday** - outside stage entertainment and the bar for outside alcohol sales (on the cobbled area of Canal Street) will start no earlier than midday and sales will finish by 8pm at the latest. (As per your email you might not use it at all but you have the option to at least).

**Friday** – the stage and bar can be built and prepared during the daytime– there is no problem with that - but there must be no alcohol sales or outside entertainment until 5pm (Michael Leaver from Manchester Pride has confirmed that the road will be used to move equipment, stock etc up until 5pm and Pride does not officially start until 5pm).

If you are happy to operate on the above basis then just email back confirming the above and the TEN can be processed and issued without the need for a hearing.

Thanks

Simon

**PC 11680 Braithwaite**  
**(Secoded to the DRMU, Central Park for Covid-19 issues – 0161 856 1330)**  
**Gay Village, Piccadilly & China Town Licensing Officer**  
**The Town Hall Extension**  
**First Floor**  
**Lloyd Street**  
**Manchester City Centre**  
**M2 5DB**

**Tel : 0161 856 0036 / 0161 872 5050**  
**Email : [11680@gmp.pnn.police.uk](mailto:11680@gmp.pnn.police.uk)**  
**Twitter: @gmpcitycentre**



## CORRESPONDENCE BETWEEN GMP AND KIM EIVIND KROHN FOLLOWING OBJECTION – AGREEMENT NOT REACHED

**From:** Kim Eivind Krohn [REDACTED]  
**Sent:** 01 April 2020 12:58  
**To:** Simon Braithwaite  
**Cc:** '[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)'; Steven Frodsham  
**Subject:** RE: Objection to Velvet Pride Temporary Event Notice

Hi Simon

I have just spoken to your colleague and I think there's been a misunderstanding from our side on a few things, and also one regarding the Friday on your behalf

I am happy to amend below based on below information

We applied for all day license due to us wanting to erect the stage, install the bars etc – last and previous years we have been told we could not do this until our license kicks in – so this made it very challenging for us one year. Friday our end of canal street closes at 1pm, so we would like to make sure the stage and bars are fully operational by then – we understand that other parts of canal street will still be open until 5pm, but please note that we already have a license for table and chairs from 1pm on Friday's

Monday we simply wanted to protect ourselves with our bars not being collected by tuesday morning, so I have amended this for 8pm, but please note Velvet probably won't offer outdoor bars on the Monday due to us closing early for our yearly staff party

If you can confirm below is ok we would be happy to change this in our application

Thank you  
Kim

Section 2  
Premises Licence Number - 113702

Section 2  
Please describe the nature of the event below:

- a. Manchester Pride (28th Aug – 31st Aug 2019) – Velvet's outdoor entertainment
- b. Erection of Stage area on the cobbled pavement opposite the premises (27th Aug @ 4pm) which will remain until its demolition (01<sup>st</sup> Sep prior to 11am)
  - i. Staging area will be 4m x 2.5m, made from responsibly sourced timber with a fire proof protective coating.
  - ii. Staging will have an advertising board at the back no longer than the width 4m and no higher than 2.5m

## CORRESPONDENCE BETWEEN GMP AND KIM EIVIND KROHN FOLLOWING OBJECTION – AGREEMENT NOT REACHED

- iii. Staging will have power supplied via Velvet Bar from over head armoured power cables connected to a weather proof junction box at the stage area
- c. Erection of bunting and power supply overhead to the cobbled area opposite the premises (27th Aug, 4pm) which will remain until its demolition (01<sup>st</sup> Sep prior to 11am)
- d. During the pride event outside entertainment in the form of live music performances, and pre-recorded music from DJs will be limited between the hours of:
  - i. Friday 28th Aug 1pm – 11pm
  - ii. Saturday 29th Aug 11am – 11pm
  - iii. Sunday 30<sup>th</sup> Aug 11am – 11pm
  - iv. Monday 31st Aug 11am – 8pm
- e. We will have portable bar running next to the side of the staging area on the cobbled pavement opposite the premises and directly under our windows and to ensure all licensing conditions are adhered to the bar will be managed by one of Velvets management team and team member with additional security at the venue provided by serenity security, the portable bars will be stored away inside the venue when not being used and when outside of the operational hours detailed below:
  - i. Friday 28th Aug 1pm – 10pm
  - ii. Saturday 29<sup>th</sup> Aug 11am – 10pm
  - iii. Sunday 30<sup>th</sup> Aug 11am – 10pm
  - iv. Monday 31st Aug 11am – 8pm

Kim Eivind Krohn | Managing Director

KRO Hospitality Limited | Velvet Hotel | 2 Canal Street | Manchester | M1 3HE



CORRESPONDENCE BETWEEN GMP AND KIM EIVIND KROHN  
FOLLOWING OBJECTION – AGREEMENT NOT REACHED

**From:** [Simon.Braithwaite@gmp.police.uk](mailto:Simon.Braithwaite@gmp.police.uk) <[Simon.Braithwaite@gmp.police.uk](mailto:Simon.Braithwaite@gmp.police.uk)>

**Sent:** 23 March 2020 14:37

**To:** [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Subject:** Objection to Velvet Pride Temporary Event Notice

All,

Apologies, slight amendment to the Objection – original Objection submitted by myself earlier today incorrectly gave the premises name as Club Bloom on the Objection – this has now been corrected on the attached Objection. No other amendments made.

Regards

Simon

**PC 11680 Braithwaite**  
**Gay Village, Piccadilly & China Town Licensing Officer**  
**The Town Hall Extension**  
**First Floor**  
**Lloyd Street**  
**Manchester City Centre**  
**M2 5DB**

**Tel :** 0161 856 0036 / 0161 872 5050

**Email :** [11680@gmp.pnn.police.uk](mailto:11680@gmp.pnn.police.uk)

**Twitter:** @gmpcitycentre

**From:** Simon Braithwaite

**Sent:** 23 March 2020 11:18

**To:** [REDACTED]  
[REDACTED]  
[REDACTED]

**Subject:** Objection to Velvet Pride Temporary Event Notice

All,

Please find attached the GMP objection to the Velvet Temporary Event Notice for Pride 2020.

Regards

Simon

**PC 11680 Braithwaite**  
**Gay Village, Piccadilly & China Town Licensing Officer**  
**The Town Hall Extension**  
**First Floor, Lloyd Street**  
**Manchester City Centre M2 5DB**

**Tel :** 0161 856 0036 / 0161 872 5050 **Email :** [11680@gmp.pnn.police.uk](mailto:11680@gmp.pnn.police.uk)

## CORRESPONDENCE BETWEEN GMP AND KIM EIVIND KROHN FOLLOWING OBJECTION – AGREEMENT NOT REACHED

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*Thank you for your co-operation.*



**MANCHESTER  
CITY COUNCIL**

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

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

<b>Premise Details</b>	
Application Ref No	MAU245525
Name of Premises	Velvet (Cobbled area outside)
Address	Velvet, 2 Canal Street, Manchester, M1 3HE

<b>Representation</b>	
<p>The Licensing and Out of Hours (LOOH) team have assessed the likely impact of the grant of this Temporary Event application taking into account a number of factors, including the nature of the area in which the premises is located and any potential risk the granting of this Temporary Event could lead to a failure to uphold the prevention of public nuisance and public safety licensing objectives.</p> <p>The Temporary Event Notice proposes to use the area directly fronting the premises, with the planned erection of a large stage on the cobbled area of the highway. The cobbled area makes use of and benefits from a tables and chairs licence which is licensed under the Highways Act 1980.</p> <p>The proposed event volunteers a maximum capacity of 200 people with hours from 12:00am to 11:00pm. It further proposes to include regulated entertainment and the retail by sale of alcohol for consumption both on and off the premises.</p> <p>LOOH object to the proposed restriction of the highway directly fronting the licensed premises and the placement of a stage in the cobbled area. The stage proposed is substantially large and has the potential to cause an obstruction by blocking or preventing the flow of patrons using Canal Street during Manchester Pride. Manchester Pride experiences high volumes of patrons accessing all areas of the event space. Restricting access to an area of Canal Street whilst the event is operating has the potential to cause a bottleneck for patrons moving between premises and prevent emergency services accessing the area in the event of an emergency.</p> <p>The TEN user has provided no detail as to how the area will be restricted, nor how this will be managed to ensure that the capacity of 200 patrons is not exceeded.</p> <p>Finally LOOH have concerns that there would be the potential for excessive noise breakout from regulated entertainment being played in the street and that no detail has been put forward in the TEN as to how noise would be effectively controlled or managed to ensure it does not cause a nuisance to nearby businesses or residents.</p> <p>To ensure that the Prevention of Public Nuisance and Public Safety licensing objectives are upheld, LOOH recommend that this Temporary Event is refused.</p>	
Recommendation:	Refuse Application

**AGREEMENT WITH OOH TEAM**

From: **Kim Eivind Krohn** <[kim@krohospitality.co.uk](mailto:kim@krohospitality.co.uk)>  
 Date: Mon, 27 Apr 2020 at 10:27  
 Subject: RE: FW: Notification of Temporary Event Ref: 245525/HH1: Cobbled Area Outside Velvet Hotel, Restaurant & Bar, 2 Canal Street, Manchester, M1 3HE (Piccadilly ward) 28 August 2020 to 31 August 2020  
 To: Gary Cook <[g.cook@manchester.gov.uk](mailto:g.cook@manchester.gov.uk)>, Steven Frodsham <[steven@krohospitality.co.uk](mailto:steven@krohospitality.co.uk)>  
 Cc: Premises Licensing <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>, [Simon.Braithwaite@gmp.police.uk](mailto:Simon.Braithwaite@gmp.police.uk) <[Simon on.Braithwaite@gmp.police.uk](mailto:Simon.Braithwaite@gmp.police.uk)>  
 Hi Gary

Thank you, and as we always do the senior managers are based outside all day and evening – we also have additional managers from other sites coming to assist

Kind regards

Kim

Kim Eivind Krohn | Managing Director  
 KRO Hospitality Limited | Velvet Hotel | 2 Canal Street | Manchester | M1 3HE  
 Office: +44 (0) 161 359 7260 | DDI +44 (0) 161 359 7262  
 Mail: [kim@krohospitality.co.uk](mailto:kim@krohospitality.co.uk) | Web: [www.krohospitality.com](http://www.krohospitality.com)

**From:** Gary Cook <[g.cook@manchester.gov.uk](mailto:g.cook@manchester.gov.uk)>  
**Sent:** 24 April 2020 11:59  
**To:** Kim Eivind Krohn <[kim@krohospitality.co.uk](mailto:kim@krohospitality.co.uk)>; Steven Frodsham <[steven@krohospitality.co.uk](mailto:steven@krohospitality.co.uk)>  
**Cc:** Premises Licensing <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>; [Simon.Braithwaite@gmp.police.uk](mailto:Simon.Braithwaite@gmp.police.uk)  
**Subject:** Re: FW: Notification of Temporary Event Ref: 245525/HH1: Cobbled Area Outside Velvet Hotel, Restaurant & Bar, 2 Canal Street, Manchester, M1 3HE (Piccadilly ward) 28 August 2020 to 31 August 2020

Hello Kim and Steven,

Thank you for your email and providing the additional information requested.

In regard to your question, I can advise that every Temporary Event Notice (TEN) is considered on its relative merits with the view to promote the four licensing objectives under the Licensing Act 2003 (The prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm) before a TEN can be acknowledged. The detail provided within the notices was limited to confirmation of the licensable activities proposed and the times they would take place.

On reviewing any TEN as a responsible authority it's essential that we take into consideration how the premises user would promote the licensing objectives given the nature of the proposed event. If additional information is provided within the notice that

## AGREEMENT WITH OOH TEAM

demonstrates how the four licensing objectives will be upheld this would have enabled me to critically evaluate the notice. As this information was not volunteered the representation submitted was proportionate, appropriate and reasonable.

However, based on the additional information you have now submitted, I can confirm that I am now satisfied that steps will be in place to uphold the four licensing objectives and agree to the event taking place.

With regards to preventing Public Nuisance, please ensure that the senior manager and staff are going outside the premises throughout the duration of the event to monitor the noise levels and if the noise is too loud please ask them to speak to the DJ to lower the noise level.

I would also advise that you provide additional information to your notices if you will be proposing to hold similar events in future.

If you have any further queries in the meantime please do not hesitate to contact me.

Kind regards,

Gary Cook

Licensing & Out of Hours Compliance - City Centre  
The Neighbourhoods Service  
Growth and Neighbourhoods Directorate

**On Thu, 23 Apr 2020 at 19:43, Kim Eivind Krohn <[kim@krohospitality.co.uk](mailto:kim@krohospitality.co.uk)> wrote:**  
Hi Gary

I was hoping you would have given me some feedback to why you are now after 3 years running the same event outside Velvet with NO issues at all you object. I would like to understand this please so if you could provide some feedback.

Also as per application previous year we explained in the hearing on how we are managing this. We will as every year set up a system where we manage the queue by cording up a system, this will be as every year be managed by a senior manager – but for ease please see below direct response to your queries

- How do you propose to ensure that the limit of 200 persons is not exceeded at any time the event is taking place? There will be senior management managing this by making sure there is right away for people to be able to walk past the venue
- How do you propose to restrict the area outside your premises. Please can you provide more detail on this? There will be a queue system with barriers
- How will music be controlled and monitored to ensure this is effectively managed and reduce the potential for this to cause a Public Nuisance? We have senior manager, security and staff managing the situation - also all DJ's are our own DJ;s who work at Velvet and have for many years – we

## AGREEMENT WITH OOH TEAM

have strict guidelines and briefings before each day. Again I have to refer to the past three years where there have been zero issues from our Venue.  
Hope this helps

Regards

Kim

Kim Eivind Krohn | Managing Director  
KRO Hospitality Limited | Velvet Hotel | 2 Canal Street | Manchester | M1 3HE  
Office: +44 (0) 161 359 7260 | DDI +44 (0) 161 359 7262  
Mail: [kim@krohospitality.co.uk](mailto:kim@krohospitality.co.uk) | Web: [www.krohospitality.com](http://www.krohospitality.com)

**From:** Gary Cook <[g.cook@manchester.gov.uk](mailto:g.cook@manchester.gov.uk)>  
**Sent:** 15 April 2020 13:30  
**To:** Kim Eivind Krohn <[kim@krohospitality.co.uk](mailto:kim@krohospitality.co.uk)>; Premises Licensing <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>  
**Cc:** [Simon.Braithwaite@gmp.police.uk](mailto:Simon.Braithwaite@gmp.police.uk)  
**Subject:** Re: FW: Notification of Temporary Event Ref: 245525/HH1: Cobbled Area Outside Velvet Hotel, Restaurant & Bar, 2 Canal Street, Manchester, M1 3HE (Piccadilly ward) 28 August 2020 to 31 August 2020

Hello Kim,

Thank you for your email and for the points you have mentioned. If you could respond to my concerns raised in the representation that would be greatly appreciated. For ease I have listed the specific concerns raised below:

- How do you propose to ensure that the limit of 200 persons is not exceeded at any time the event is taking place?
- How do you propose to restrict the area outside your premises. Please can you provide more detail on this?
- How will music be controlled and monitored to ensure this is effectively managed and reduce the potential for this to cause a Public Nuisance?

If you could respond to the above questions as soon as possible please, thank you.

Kind regards,

Gary Cook

Licensing & Out of Hours Compliance - City Centre  
The Neighbourhoods Service  
Growth and Neighbourhoods Directorate



## AGREEMENT WITH OOH TEAM

On Thu, 2 Apr 2020 at 10:05, Kim Eivind Krohn <[kim@krohospitality.co.uk](mailto:kim@krohospitality.co.uk)> wrote:  
Hi Gary

Please could you ensure that I am copied into any correspondent relating to Velvet.

I must say I am extremely disappointed in your objection to this application. I assume you have had some negative feedback from the past 3 years we have run this outside velvet that you have not mentioned to us? Please could you provide this

Myself and my team have made sure that every year this is managed correctly and we have never had any issues and I think we set a great example in the village on how it should be managed – clearly there is a major issue with us at Velvet trying to think outside the box and prioritise the safety of our staff and our customers.

I think from this that the best solution would be to take this to a hearing as I am finding the objections to be irrelevant considering that we have been doing this for the past 3 years!

To try and work together and come to an agreement don't mean that we should just give in. please see notes from previous hearings and note that we are basing all the information in the application on Velvet as a business, and its surrounding – not what everyone else is doing. You need to understand this is a business, and we have to ensure we act in the best interests of our business, guests and staff.

Helen [@premises.licensing@manchester.gov.uk](mailto:@premises.licensing@manchester.gov.uk) – please discard the previous email and I would request this to go to a hearing with the same application as we submitted

Regards

Kim

**From:** Gary Cook <[g.cook@manchester.gov.uk](mailto:g.cook@manchester.gov.uk)>

**Sent:** 02 April 2020 09:03

**To:** [stevenfrodsham79@yahoo.co.uk](mailto:stevenfrodsham79@yahoo.co.uk); Steven Frodsham <[steven@krohospitality.co.uk](mailto:steven@krohospitality.co.uk)>

**Cc:** Premises Licensing

<[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>; [Simon.Braithwaite@gmp.police.uk](mailto:Simon.Braithwaite@gmp.police.uk)

**Subject:** Re: Notification of Temporary Event Ref: 245525/HH1: Cobbled Area Outside Velvet Hotel, Restaurant & Bar, 2 Canal Street, Manchester, M1 3HE (Piccadilly ward) 28 August 2020 to 31 August 2020

Good afternoon,

Further to the submission of the attached representation and reviewing the further information submitted to GMP. I note your intention to utilise the area outside your premises which currently benefits from a tables and chairs licence. Your tables and chairs licence grants the placement of specific furniture on the highway and cannot be utilised to place other items in their place such as a stage.

## **AGREEMENT WITH OOH TEAM**

During any large event such as pride there would be an instruction that tables and chairs were not placed out whilst the event is taking place. This would be in line with condition 12 on your licence.

Please could you review the representation I have submitted and provide more information regarding the concerns that were raised within it. Thank you

Kind regards,  
Gary Cook

Licensing & Out of Hours Compliance - City Centre  
The Neighbourhoods Service  
Growth and Neighbourhoods Directorate

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

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