



Licensing Sub Committee Hearing **Panel**

Date: Monday, 21 September 2020

Time: 10.00 am

Venue: Dial: 033 3113 3058 Room number: 37978770 #
PIN: 2991 #

Everyone is welcome to attend this Sub-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

Councillors – Jeavons (Chair), Hughes and Madeleine Monaghan

Agenda

1. Urgent Business

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

2. Appeals

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

3. Interests

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

4. New Premises Licence - Deansgate Food Bar, 343 Deansgate, Manchester, M3 4LG

5 - 110

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

5. Premises Licence Variation - The Liars Club, 19A Back Bridge Street, Manchester, M3 2PB

111 - 206

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

6. New Premises Licence - Tony's Café 2, 39 Button Lane, Manchester, M23 0LZ

207 - 312

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

7. New Premises Licence - The Dough House, 93-95 Beech Road, Chorlton-Cum-Hardy, Manchester, M21 9EQ

313 - 388

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

Information about the Committee

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

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

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

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

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

Smoking is not allowed in Council buildings.

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

Further Information

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

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This agenda was issued on **Friday, 11 September 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 Subcommittee Hearing Panel – 21 September 2020

Subject: Deansgate Food Bar, 343 Deansgate, Manchester, M3 4LG - App ref: Premises Licence (new) 248562

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendations

That the Panel determine the application.

Wards Affected: Deansgate

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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Name: Grace Ollier
Position: Technical Licensing Officer
Telephone: 0161 234 4375
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 05/08/2020, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Deansgate Food Bar, 343 Deansgate, Manchester, M3 4LG in the Deansgate ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Majid Salek Zaman Khani.
- 2.3 The description of the premises given by the applicant is a City centre restaurant & take-away.
- 2.4 The proposed designated premises supervisor is Babak Tabrizi
- 2.5 **The licensable activities applied for:**
 Provision of late night refreshment:
 Mon to Sat 11pm to 4am, Sun 11pm to midnight
 Deliveries will be available until 3am Monday - Saturday
 Seasonal Variations: From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.
- The supply of alcohol for consumption off the premises only:
 Mon to Sat 11am to 3am, Sun 11am to midnight
 Seasonal Variations: From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.
- Opening hours:
 Mon to Sat 7am to 4am, Sun 9am to midnight

Seasonal Variations: From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.

- 2.5.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 2.5.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.

2.6 **Activities unsuitable for children**

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

2.7 **Steps to promote the licensing objectives**

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

2.8 **Further documentation accompanying the application**

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

3. **Relevant Representations**

- 3.1 A total of 14 relevant representations were received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

Responsible Authorities:

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

Other Persons:

- Deansgate Ward Councillors (x2)
- Residents (x9).

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	<p>Because of the later hours at weekend the premises had a door staff condition attached to the premises licence because this is in line with the closing times of the premises on the locks, which means that the premises is highly likely to be much busier with customers who are inebriated and more likely to cause problems both in and around the premises.</p> <p>Therefore in order to make sure that the licensing objectives are upheld GMP would ask that a more robust condition regarding doorstaff is attached to the premises licence, if this variation is granted. GMP have also requested reduced hours (Premises to close by 2am Monday to Thursday)</p>	Grant with reduced hours and with conditions
Licensing and Out of Hours Compliance	<p>Having given consideration to Manchester City Council's Statement of Licensing Policy and how the applicant will promote all 4 of the Licensing Objectives we are confident that the application shall be approved with additional conditions.</p> <p>In the current form, the granting of the licence may undermine the Licensing Objectives, particularly the Prevention of Public Nuisance and, Protection of Children from Harm.</p>	Grant with conditions
Trading Standards	<p>The application is of a good standard and is detailed enough in respect of restricting the supply of alcohol to minors. With one notable exception in the area of age verification of customers.</p> <p>It is a mandatory licensing condition for all licensed premises to have an age verification policy in place. We would like this to be a Challenge 25 policy which is accepted as good practice. This requirement, is we feel necessary to fully promote the licensing objective of The protection of children from harm.</p>	Grant with conditions
Deansgate Ward Councillors Joan Davies and Marcus Johns	<p>Councillors concerns included increased crime and disorder, antisocial behaviour, noise nuisance from patrons and parked cars, littering, safe access to residential buildings and additional potential harm caused to children living nearby.</p>	Not Stated

Residents (x9)	Residents' concerns included littering, safe access to residential buildings, noise nuisance from patrons and parked cars, antisocial behaviour, human waste, sufficient CCTV coverage, increased crime and disorder, reduction in public safety, public intoxication and drunkenness,	Refuse x 4 Not Stated x 5
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- 3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**
- 3.4 Agreements on conditions have been reached with GMP, Licensing and Out of Hours Compliance and Trading Standards.

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 New Information

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

4.3 Hearsay Evidence

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

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

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

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

4.5 **Manchester Statement of Licensing Policy**

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

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

4.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.

4.5.4 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy: **Section 6: What we aim to encourage**

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

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

Section 7: Local factors

This section sets out key issues that applicants are expected to take into account relevant to the individual characteristics of the premises when

preparing their operating schedule and address any local factors relevant to their premises.

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

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- Proximity of takeaways and off-licences to nightlife entertainment areas
- Consistency with relevant Council strategies
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Proximity to sensitive uses
- The availability of transport to and from the premises
- 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
- MS3 Responsible promotion and sale of alcohol
- MS5 Prevent on-street consumption of alcohol
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS8 Prevent noise nuisance from the premises
- 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

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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Deansgate Food Bar
343 Deansgate, Manchester, M3 4LG

Premises Licensing
Manchester City Council

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PREMISE NAME:	Deansgate Food Bar
PREMISE ADDRESS:	343 Deansgate, Manchester, M3 4LG
WARD:	Deansgate
HEARING DATE:	21/09/2020

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 Majid Salek Zaman Khani

(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 Deansgate Food Bar 343 Deansgate			
Post town	Manchester	Postcode	M3 4LG
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£11750.00	

Part 2 - Applicant details

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

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

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

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

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

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Salek Zaman Khani			First names Majid		
Date of birth [REDACTED]		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality [REDACTED]					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	x
				Both	
Mon	23:00	04:00	<u>Please give further details here</u> (please read guidance note 4) Deliveries will be available until 03:00 Monday to Saturday.		
Tue	23:00	04:00			
Wed	23:00	04:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.		
Thur	23:00	04:00			
Fri	23:00	04:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	23:00	04:00			
Sun	23:00	24:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	x
Day	Start	Finish	ALCOHOL ONLY TO BE SOLD ANCILLARY TO FOOD. ALCOHOL WILL ONLY BE SOLD FROM THE PREMISES BETWEEN 11:00 AND 23:00 – AFTER THAT TIME IT WILL BE AVAILABLE WITH FOOD DELIVERIES ONLY.	Both	
Mon	11:00	03:00	State any seasonal variations for the supply of alcohol (please read guidance note 5) From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.		
Tue	11:00	03:00			
Wed	11:00	03:00			
Thur	11:00	03:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	11:00	03:00			
Sat	11:00	03:00			
Sun	11:00	24:00			

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

Name Babak Tabrizi	
Date of birth [REDACTED]	
Address [REDACTED] [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) 574683	
Issuing licensing authority (if known) Stockport Council	

K

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

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p>State any seasonal variations (please read guidance note 5) From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.</p>
Day	Start	Finish	
Mon	07:00	04:00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p>
Tue	07:00	04:00	
Wed	07:00	04:00	
Thur	07:00	04:00	
Fri	07:00	04:00	
Sat	07:00	04:00	
Sun	09:00	24:00	

M

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

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

Sales of alcohol for consumption Off the premises shall only be supplied with a takeaway meal.

b) The prevention of crime and disorder

The premises shall install and maintain a comprehensive digital CCTV system. All public areas of the licensed premises, including all public entry and exit points, will be covered. 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. A staff member who is conversant with the CCTV system shall be available for contact at all times when they are open to the public and must be able to produce/download/burn CCTV images upon request by a Police Officer or an authorised officer of the Local Authority.

An Incident Log, which may be electronically recorded, shall be kept at the premises for at least six months. This will be made available upon requests to GMP or an authorised Officer of the Local Authority.

All staff shall be trained in recognising signs of drunkenness, how to refuse service and the Conditions attached to the Premises Licence. Training shall be regularly refreshed and training records shall be made available for inspection upon request to GMP or an authorised Officer of the Local Authority.

Any person who appears to be intoxicated or who is behaving in a disorderly manner shall not be allowed entry to the premises.

All deliveries of alcohol from the premises shall be carried out by employees of the premises. Please see the attached Delivery Policy.

c) Public safety

All firefighting equipment will be inspected and serviced in line with the manufacturer's guidelines.

d) The prevention of public nuisance

A direct telephone number for the Manager of the premises shall be available at the premises. This telephone number will be made available to residents in the vicinity.

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

Management and staff shall ensure that any litter generated by customers in the immediate vicinity is collected both during and after the close of operational hours.

A prominent, clear and legible notice shall be displayed at the exit of the premises to remind customers to dispose of their litter responsibly.

e) The protection of children from harm

A log shall be kept at the premises to record all refused sales of alcohol for the reason that persons is/are or appear to be under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available upon request by GMP or an Authorised Officer of the Local Authority.

Checklist:

Please tick to indicate agreement

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

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION,

ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	████████████████████
Date	5 th August 2020
Capacity	Solicitors & Authorised Agents for the Applicant

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

Signature	████████████████████
Date	████████████████████
Capacity	████████████████████

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
████████████████████			
████████████████████			
████████████████████			
Post town	████████████████	Postcode	██████████

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

Notes for Guidance

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

Deansgate Food Bar, 343 Deansgate, Manchester M3 4LG

All deliveries of alcohol will be carried out by couriers who are employed by the premises. Couriers will be trained in preventing under-age sales, refusals and proxy sales. Registers of training will be kept by the Premises Licence holder.

All deliveries of alcohol shall only be delivered to a premises address with a valid postcode, and will only be delivered directly to that property.

The website shall carry a clear message that alcohol will only be sold only to persons over the age of 18, and will require customers to confirm that they are 18 (or over) on the checkout page.

A message will be displayed on the website notifying customers that orders will not be left with any person under 18 years of age upon delivery, and that the courier may request the recipient to produce satisfactory identification evidence to prove that they are at least 18 years of age.

Acceptable ID is a passport, driving licence or PASS hologram card.

The Premises Licence Holder will accept orders through other platforms, but all deliveries will be carried out by their own couriers.

If a person taking delivery is not aged 18 or over or ID is not available from the person taking delivery to prove their age, the delivery will be returned to the business operated by the Premises Licence holder.

The Premises shall operate a Refusals Book. This should record the relevant details when a consignment is not delivered because the recipient appears to be under 18 and fails to produce ID.

No deliveries of alcohol shall be made to persons who appear to be intoxicated.

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

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GMP

From: <Alan.Isherwood@gmp.police.uk>
Date: Tue, 8 Sep 2020 at 13:22
Subject: RE: Deansgate Food Bar, 343 Deansgate, Manchester M3 4LG
To: <[REDACTED]>, <niall.johnson@manchester.gov.uk>, <helene.corlett@manchester.gov.uk>
Cc: <premises.licensing@manchester.gov.uk>, <grace.ollier@manchester.gov.uk>, <licensing.subcommittees@manchester.gov.uk>, <[REDACTED]>

Dear All,

In view of the email from the applicant's solicitor [REDACTED], in which the times and conditions requested by GMP are agreed, we are happy for the licence to be granted as such.

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

Kind Regards

Alan

PC 17659 Alan Isherwood
Divisional Licensing Officer
Greater Manchester Police

From: [REDACTED]
Sent: 08 September 2020 13:19
To: Alan
Isherwood; niall.johnson@manchester.gov.uk; helene.corlett@manchester.gov.uk
Cc: Premises Licensing; grace.ollier@manchester.gov.uk; Licensing Subcommittees; [REDACTED]
Subject: Deansgate Food Bar, 343 Deansgate, Manchester M3 4LG
Importance: High

Good afternoon Alan/Niall/Helene – I trust you are all keeping well.

Please treat this e-mail as formal confirmation that all the requirements as set out in the attached Representations are hereby agreed.

Thanks and regards.

[REDACTED]

GREATER MANCHESTER POLICE - REPRESENTATION

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

About the Premises	
Application Reference No.	LPA 248562
Name of the Premises	Deansgate Food Bar
Address of the premises including postcode	343 Deansgate, Manchester M3 4LG

Your Representation
<p>Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the licence on the licensing objectives on and in the vicinity of the premises in question.</p>
<p>Please accept this as formal notification of the Greater Manchester Police objection to the premises licence application in relation to the above premises on the grounds of Prevention of Crime and Disorder, the Prevention of Public Nuisance and Public Safety.</p> <p>The premises are situated in the Deansgate Locks area of the city and during normal times this is one of the busiest areas of the city during the night time hours. The premises previously traded until until 2am during the week and until 4am at weekends.</p> <p>Because of the later hours at weekend the premises had a door staff condition attached to the premises licence because this is in line with the closing times of the premises on the locks, which means that the premises is highly likely to be much busier with customers who are inebriated and more likely to cause problems both in and around the premises.</p> <p>Therefore in order to make sure that the licensing objectives are upheld GMP would ask that a more robust condition regarding doorstaff is attached to the premises licence, if this variation is granted. The condition we ask for is as follows:</p> <p>On a Friday and Saturday SIA registered door staff shall be employed at the premises at a ratio of 1:100 from 2300 hours until the premises close, to help with the orderly dispersal of customers. Whilst on duty door staff shall wear Hi visibility jackets. At all other times the need for door staff shall be risk assessed by the operators.</p> <p>We would also ask that the premises close by 2am Monday to Thursday as per the previous licence.</p> <p>GMP believes that this condition and timings will make the undermining of the licensing objectives far less likely.</p>

Licensing Out Of Hours and Compliance Team

From: **Niall Johnson** <niall.johnson@manchester.gov.uk>

Date: Tue, 8 Sep 2020 at 16:43

Subject: Re: Deansgate Food Bar, 343 Deansgate, Manchester M3 4LG

To: [REDACTED]

Cc: Alan.Isherwood@gmp.police.uk <Alan.Isherwood@gmp.police.uk>, helene.corlett@manchester.gov.uk <helene.corlett@manchester.gov.uk>, Premises Licensing <premises.licensing@manchester.gov.uk>, grace.ollier@manchester.gov.uk <grace.ollier@manchester.gov.uk>, Licensing Subcommittees <licensing.subcommittees@manchester.gov.uk>, [REDACTED]

[REDACTED]

Good afternoon all,

Following on from [REDACTED] email, LOOH are now satisfied with the application to proceed and have no further concerns from our side.

Kind Regards

Niall Johnson - BSc (Hons), MCIEH
Licensing & Out of Hours Compliance Officer
The Neighbourhoods Service
Growth and Neighbourhoods Directorate
Town Hall Extension
Level 1
City Centre
Manchester

Tel: 0161 234 1220

[REDACTED]

E-mail: niall.johnson@manchester.gov.uk

On Tue, 8 Sep 2020 at 13:19, [REDACTED] wrote:

Good afternoon Alan/Niall/Helene – I trust you are all keeping well.

Please treat this e-mail as formal confirmation that all the requirements as set out in the attached Representations are hereby agreed.

Thanks and regards.

[REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED]



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details

Application Ref No	REF: 248562
Name of Premises	Deansgate Food Bar
Address	343 Deansgate, Manchester, M3 4LG

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.

This is notification that the Licensing and Out-of-Hours team (LOOH) have assessed the application and the likely impact the granting of the licence would have on the local amenity. We have taken into account the nature of the area, surrounding licensed premises and local residential premises.

Having given consideration to Manchester City Council's Statement of Licensing Policy and how the applicant will promote all 4 of the Licensing Objectives we are confident that the application shall be **approved with additional conditions.**

In the current form, the granting of the licence may undermine the Licensing Objectives, particularly the Prevention of Public Nuisance and, Protection of Children from Harm. To ensure these objectives are consistently promoted and the premises operates in a safe and diligent manner, LOOH are satisfied that the below conditions are required.

These additional conditions have been proposed to the applicants' solicitor and are currently awaiting confirmation of agreement to the wording.

1. No noise shall emanate from the premises that could give rise to a nuisance; including but not limited to noise from customers inside and outside the premises, delivery vehicles, opening and closing of the shutters and equipment and/or ventilation.
2. Staff and management to ensure the area surrounding the premises is cleaned throughout the trading day and at close of business.
3. The supply of alcohol is limited to deliveries only.

4. Alcohol shall not be advertised, displayed or promoted within the premises and will not be supplied on a collection basis.
5. Comprehensive documented training on the Licensing Act 2003 and the Licensing Objectives must be undertaken by all persons responsible for confirming orders of alcohol products and delivery of alcohol products.
6. Alcohol will be supplied for delivery when ancillary to food delivery only.

Trading Standards

From: **Ivor Parry** <i.parry@manchester.gov.uk>

Date: Wed, 26 Aug 2020 at 13:05

Subject: Fwd: FAO [REDACTED] LPA248562 Deansgate Food Bar 343
Deansgate M3 4LG

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

Following discussions between ourselves and the applicant's representative agreement has been reached that the licence should be granted under the terms of the application and subject to the condition in our representation. The applicant has stated his agreement to this condition in the email below.

Best regards

Ivor Parry

Neighbourhood Officer-Trading Standards

Neighbourhoods Directorate

1 Hammerstone Road Gorton Manchester M18 8EQ

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

From: [REDACTED]

Date: Mon, 24 Aug 2020 at 16:16

Subject: RE: [REDACTED] LPA248562 Deansgate Food Bar 343
Deansgate M3 4LG

To: Ivor Parry <i.parry@manchester.gov.uk>, Premises Licensing
<premises.licensing@manchester.gov.uk>

Cc: [REDACTED]
[REDACTED]

Dear Mr Parry

Apologies for the delay in coming back to you.

I can confirm that the Applicant is happy to agree to the Challenge 25 Policy and the following Condition being attached to the Premises Licence upon grant:

“The Challenge 25 Scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID Card or similar document, an HM Forces ID card, or a card bearing the PASS hologram.”

Please confirm that this now satisfies your concerns.

I have copied in the Licensing Authority to this e-mail so that they are aware of the agreed Condition.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

PLEASE NOTE: ALL REPRESENTATIONS AND SUPPORTING EVIDENCE MUST

BE SUBMITTED TO MANCHESTER CITY COUNCIL WITHIN 28 DAYS, STARTING THE DAY AFTER THE PREMISES IN QUESTION MAKES AN APPLICATION (TO FIND OUT THE CLOSING DATE CALL THE LICENSING UNIT ON 0161 234 4512)

ABOUT YOU		PLEASE NOTE: LICENSING OFFICERS, LICENSING COMMITTEE MEMBERS AND THE APPLICANT CAN VIEW THE INFORMATION PROVIDED ON THIS FORM	
Your first name (required)	Your last name (required)		
Ivor	Parry		
Your address including postcode (required)			
Trading Standards Service 1 Hammerstone Road Manchester M18 8EQ			
Contact email address	Contact phone no		
i.parry@manchester.gov.uk	07949 512 631		
Your signature (I hereby declare the information I have provided on and with this form is correct to the best of my knowledge and belief)			

ABOUT THE PREMISES**Application Ref No. (if known):**

LPA 248562

Name of the Premises about which you would like to make a representation:

Deansgate Food Bar

Address of the Premises (including postcode if known):343 Deansgate
Manchester
M3 4 LG**YOUR REPRESENTATION**

Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)

The application is of a good standard and is detailed enough in respect of restricting the supply of alcohol to minors. With one notable exception in the area of age verification of customers.

It is a mandatory licensing condition for all licensed premises to have an age verification policy in place. We would like this to be a Challenge 25 policy which is accepted as good practice. This requirement, is we feel necessary to fully promote the licensing objective of The protection of children from harm.

We would therefore like the following condition attached to the licence should it be granted.

1) The Challenge 25 Scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID Card or similar document, an HM Forces ID card, or a card bearing the PASS hologram.

Councillor 1

From: **Councillor Joan Davies** <cllr.j.davies@manchester.gov.uk>
Date: Thu, 3 Sep 2020 at 00:00
Subject: Premises Licence (new) 248562/GO2: Deansgate Food Bar, 343 Deansgate, Manchester, M3 4LG, (Deansgate ward)
To: Premises Licensing <premises.licensing@manchester.gov.uk>
Cc: Councillor Marcus Johns <cllr.marcus.johns@manchester.gov.uk>

Representation

Premises Licence (new) 248562/GO2: Deansgate Food Bar, 343 Deansgate, Manchester, M3 4LG, (Deansgate ward)

I wish to make a representation in respect of this application

Proposed hours and licensable activities:

Provision of late night refreshment:
Mon to Sat 11pm to 4am, Sun 11pm to midnight

The supply of alcohol for consumption off the premises only:
Mon to Sat 11am to 3am, Sun 11am to midnight

Opening hours:
Mon to Sat 7am to 4am, Sun 9am to midnight

History

Previously these premises have been licenced for late night refreshment, though not until 4am 6 nights per week. I understand that the licence was surrendered and now realise that this application is under new ownership.

The previous licence did not include the sale of alcohol, and this is one of the aspects which is significant, along with the extensive hours.

The previous premises extended their permitted hours in March 2019, but it is not known how extensively these longer hours were used.

The nearest premises are Obsessions, Atlas Bar and Rebellion bar. These are very different premises indeed, each with its own particular clientele, and have extensive experience licenced premises selling alcohol. Just beyond these premises are more general late night premises attracting, until lockdown, large crowds, particularly at weekends and on heavily promoted nights for particular events and audiences.

In an unusual move, the premises is requesting alcohol sales as off-sales only. The premises isn't suitable for on-sales and the levels of management needed. There is insufficient investment in the premises to create the seating, décor and ambiance expected in the on-sales market in this part of the city at late hours.

Neither does the premises appear to be offering food consumption facilities inside. It appears to be operating as a take-away only. Selling alcohol with take-away food is a fairly unusual operation in the city centre, but one which might have certain attractions to certain customer groups.

In recognition of the difficulties which could arise, the premises have included details of the management of their operation, stating

- 1. Alcohol only to be sold ancillary to food. Alcohol will only be sold from the premises between 1100 and 2300, after that time it will be available with food deliveries only.*
- 2. Sales of alcohol for consumption off the premises shall only be supplied with a takeaway meal.*

These conditions provide some reassurance, but it is not clear whether these conditions will provide any relevant limitations on demand. Is a burger or kebab, for example, all that will be required to purchase a considerable amount of alcohol?

- 6. Any person who appears to be intoxicated or who is behaving in a disorderly manner shall not be allowed entry to the premises.*

I live just off Deansgate. By 22.00 or 23.00 hours at the weekend this describes a considerable proportion of potential customers. I am unconvinced that this condition will be operated.

- 7. All deliveries of alcohol from the premises shall be carried out by employees of the premises. Please see the attached Delivery Policy.*

As an attempt to assert standards, this is reassuring, but I wonder how practicable it is. Many modern delivery processes encourage workers to service deliveries from a number of outlets. To make this work at a profitable level demand would need to be steady rather than subject to surges.

Delivery policy

All deliveries of alcohol will be carried out by couriers who are employed by the premises. Couriers will be trained in preventing under-age sales, refusals and proxy sales. Registers of training will be kept by the Premises Licence holder.

All deliveries of alcohol shall only be delivered to a premises address with a valid postcode, and will only be delivered directly to that property.

We have seen as lockdown has relaxed that young people have acquired the habit of ordering food, and alcohol, to be delivered to them at outdoor locations, using the easily Internet-available building postcodes to secure supplies.

I am therefore concerned that this application, if granted in full, will not achieve the licensing objectives.

- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety
- The protection of children from harm

Councillor Johns has provided a very detailed outline of concerns, with detail of the local geography and population. I agree with his analysis and will not repeat those points here

In considering this application we need to look at licensing for now and for the future for the current situation. Many premises are still not open. The landscape has changed, and as city centre residents we have become acutely aware how those changing patterns impact on local residents. There has been a rise in outdoor drinking. People, particularly young people who wish to mix in larger groups than might be acceptable, have been gathering in sunny or sheltered areas to enjoy themselves, consuming alcohol and also indulging in drug use. The suppliers are adapting to these new and changing patterns.

We do not know how long it might take to return to what we had before.

The concept of alcohol with take away food is troublesome as there is such potential for a lack of control.

Should the Licencing Committee be minded to grant the licence we would prefer to see more restricted hours for food, and a refusal of the alcohol sales aspect of the application. In addition a ban on advertising along Whitworth Street West in order to attract the post clubbing market towards what is a pleasant residential area.

Regards

Joan Davies

Councillor Joan Davies
Labour Councillor for Deansgate Ward, Manchester City Centre

Councillor 2

From: **Councillor Marcus Johns** <cllr.marcus.johns@manchester.gov.uk>
 Date: Wed, 2 Sep 2020 at 22:45
 Subject: Objection: Premises Licence (new) 248562/GO2: Deansgate Food Bar, 343 Deansgate, Manchester, M3 4LG, (Deansgate ward)
 To: Premises Licensing <premises.licensing@manchester.gov.uk>, Cllr Joan Davies <cllr.j.davies@manchester.gov.uk>

Good evening,

I am objecting to this application on the following grounds:

The prevention of crime and disorder

On the other side of the railway bridge is a residential area which includes a number of apartment blocks--including the car park of the [REDACTED]. Some low level crime and anti-social behaviour already takes place in this car park, on the street, and under the railway bridge but it is a generally quiet area unlike outside Deansgate Locks.

This application will attract largely intoxicated people into an area that has a large car park tucked away to one side, is known for low-level drug dealing such as NOs, and this part of Deansgate/Knott Mill can be considered fairly quiet and tucked away. By increasing the number of people in this area who are a target for drug dealers and other criminals - away from the busy and well lit core of the city centre - it increases the risk of both crime and disorder.

The prevention of public nuisance

This application would attract a significant number of customers from the bars/clubs along Deansgate Locks late at night - right next to these apartment blocks in a quiet residential area. There is currently no reason for those visiting Deansgate Locks (often drunk and noisy) to be in this area--and the application's approval would significantly alter this, creating nuisance under the bridge with loud and unruly customers who will likely be intoxicated given the nature of the food offering and nearby premises. Sounds under the bridge echoes substantially and this would provide ongoing nuisance to residents - particularly in [REDACTED].

Late night anti-social behaviour is a problem in this location at present without a focal point for late night gathering. Customers from this premises already sit on the steps at the entrance of [REDACTED] and cause some anti-social behaviour in the car park at night--including urination and defecation, fighting, and general nuisance.

The sale of food at 4am would significantly worsen those problems by encouraging more people into this highly residential, quiet area late at night where - it should be noted - children live.

Alongside increasing noise levels (disturbing local residents' sleep and exacerbated by the railway bridge) and anti-social behaviour, the pedestrianised area under the bridge will undoubtedly become a location for parked cars to leave engines running

while customers pick up food - causing noise nuisance and an increase in localised pollution late at night.

Considerable littering is to be expected from an application such as this and customers are likely to be drawn south towards Knot Mill to sit on the steps of building entrances at [REDACTED] and into the car park to eat, drink, and litter. Littering is already a problem in the vicinity of Deansgate Food Bar.

Public safety

By selling alcohol alongside takeaway food, largely to clients who have previously been in bars/clubs at Deansgate Locks and will overwhelmingly be intoxicated in the early hours of the morning, the application will create a focal point for congregation and street drinking (contravening the PSPO) with risks for public safety.

Local residents (particularly in [REDACTED]) often find customers and other people late at night sitting on the steps at the entrance to their building (often making noise) and have reported aggressive behaviour when they have asked them to move. I know that residents have called the police about fighting and threatening behaviour on the steps and nearby a number of times. This application will increase this problem and the associated risk of physical confrontation at this location.

I have received objections from local residents who are women and are very concerned about their personal security with regards to this proposal.

The protection of children from harm

There are a number of children who live in the apartment blocks at [REDACTED]. The above points should be considered in light of the additional harm they will cause young children in the middle of the night (disrupting their sleep, creating fear and distress etc).

Previous behaviour of the premises

Furthermore, I have previously complained about this premises unlawfully advertising their services by flyposting on lampposts and railings at Deansgate Train Station to try to attract more custom from people visiting Deansgate Locks--generally intoxicated, in large groups, and late at night. I have no faith that the premises will be able to consistently manage this late at night or abide by its licence considering they have previously acted illegally. Two FPNs were issued to the premises in that case.

Not only do I not have faith in the premises as described, but I am very conscious that they have in the past actively sought to advertise themselves to the crowds at Deansgate Locks and pull the business of large, intoxicated groups to their premises. It is clearly in the business's interests to pursue these customers who will likely increase public nuisance, anti-social behaviour, and crime by being drawn into this quiet, out-of-the-way residential neighbourhood.

I would also like to state that I concur with and support Cllr Davies objection which she is submitting separately, and fully support the residents' objections that have been submitted.

Please could you confirm receipt of this objection and inform me of the outcome?

Best wishes,

Cllr Marcus Johns
Labour Member for Deansgate Ward

Resident 1

From: [REDACTED]

Date: Wed, 26 Aug 2020 at 14:49

Subject: Re: Objection RE: 248562/GO2: Deansgate Food Bar, 343 Deansgate, Manchester, M3 4LG, (Deansgate ward)

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

Cc: Councillor Marcus Johns <cllr.marcus.johns@manchester.gov.uk>

Dear Sir / Madam,

I wish to add further clarity relating to the licensing objectives:

- **The prevention of crime and disorder**

Will the applicant employ a suitable door supervisor at the premise from 9pm onwards (until 4:30am) as required by these terms?

Will there be sufficient CCTV coverage and maintenance as stipulated?

- **Public safety**

An appropriate method, agreed in writing by us must be used for checking the number of people entering and leaving the premises and ensuring that once the maximum occupancy is reached, no further persons are admitted. The premise is small, what measure will be in place for A) maximum occupancy and B) Covid setting?

All bottles and glasses and rubbish must be removed from public areas on a regular and frequent basis, as there is only one bin at the entrance to Deansgate Train Station, how will they cope with more litter?

- **The prevention of public nuisance**

Will the license holder ensure their staff regularly patrol outdoor to ensure orderly conduct of patrons? Given the large area outside is accessible for vehicles, it can be used as a parking spot for patrons accessing the premises, how can the staff guarantee the noise level from vehicles are kept at a sensible volume through the night?

How will the license holder control the volume of regulated entertainment at the premises? Considering the premises is small, the area can amplify the noise level.

Will the license holder keep all external doors and windows shut as required to reduce the noise level? Are the windows and doors sufficient for noise insulation?

How can they minimise the effect of littering? If patrons take their alcohol outside the premise, how will they ensure the littering won't affect the surrounding neighbourhood?

Additionally, the premises do not appear to have accessible toilets for patrons, how can they ensure patrons will not 'relieve' themselves in the surrounding public spaces, such as the car park area at [REDACTED], or the arches and canal?

- **The protection of children from harm.**

Many thanks

[REDACTED]

From: [REDACTED] >

Date: Sat, 8 Aug 2020 at 15:03

Subject: Objection RE: 248562/GO2: Deansgate Food Bar, 343 Deansgate, Manchester, M3 4LG, (Deansgate ward)

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

Cc: Councillor Marcus Johns <cllr.marcus.johns@manchester.gov.uk>

Dear Sir / Madam,

I'm writing in regards to the licence application from Deansgate Food Bar to serve food and alcohol from 11pm to 4am. I would like to raise some points regarding this application.

I'm a resident of [REDACTED], I have lived on this property for 10 years. We are in close proximity to the Deansgate Food Bar premise, due to the accessibility of our car park and narrow walking pathways, we had past incidences of alcohol consumption, littering and anti-social behaviour on our site, including incidences with human waste. The access corridors surrounding our underground car park is quiet and has attracted loitering, vagrants, as well as repeated break-in attempts to our bike store / bin area, causing damage the leaseholders have to pay for. The main entrance to [REDACTED], it has been used as a seating area by intoxicated revellers. Furthermore, we always had noise issues on the street that have been discussed by residents during our past AGM meeting. These have not been ideal but we have generally accepted some issues are beyond our control.

I'm afraid the addition of a late-night serving premise will decrease our quality of living, in particular for the residents on the corner overlooking the Deansgate Food Bar premise. It will attract more revellers to this area, and the large parking space outside their premise may further invite anti-social behaviour if alcohol is made available. There may be more noise, more littering, and more footprint in what is largely a quiet residential area around [REDACTED]

Therefore, I do not believe it is appropriate to allow Deansgate Food Bar to serve food and sell alcohol until 4am in the morning, it will invite late night traffic and loitering into our area and on our site, increase littering as there is only one bin on

Whitworth Street West that is often overflowing, and increased noise for our residents.

Regards

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Resident 2

From: [REDACTED]
Date: Wed, 26 Aug 2020 at 21:43
Subject: 248562/G02: Deansgate Food Bar, 343 Deansgate, Manchester, M3 4LG, (Deansgate ward)
To: <premises.licensing@manchester.gov.uk>
Cc: Marcus Johns <[REDACTED]>

Dear Manchester City Council

I wish to raise an objection to the proposal 248562/G02 by Deansgate Food Bar, to sell food and alcohol on Monday to Saturday from 11pm to 4am. I live in [REDACTED], less than one block from this business and believe that it will significantly reduce our quality of life.

Firstly, it is likely to generate street drinking by patrons who are already drunk after leaving licensed venues in the city centre. Given that there will be no security in place to control dangerous behaviour as there would be inside a bar, drinkers will be outside on the street and pose a potential danger to residents of [REDACTED] and other buildings returning home at night time. The proposal presents a risk of increased crime and disorder along with a reduction in public safety. There is already considerable consumption of nitrous oxide in cars parked on Deansgate, resulting in large amounts of gas canister litter. I have also seen drug selling taking place on the street at night. A business like this will only encourage more drug selling and consumption.

We already see refuse littered around the area, from bottles left at night time. Further food and alcohol consumption from a shop will add to the litter problem. My daughter complains about the amount of litter in the area.

My family includes one young child and our apartment [REDACTED] We already suffer from considerable noise at night time and this would add to the noise disruption. I am concerned that increased noise may make it difficult for her to sleep.

I do not think the expansion of this business is desirable for this area at these hours. There are already many established bars in the area open late for responsible patrons who wish to

consume food and alcohol on the premises. Overall, is passed, this business proposal will generate a public nuisance. I object to the proposals and encourage you to reject them.

Best regards

[REDACTED]
[REDACTED]
[REDACTED]

Resident 3

From: [REDACTED]
Date: Thu, 27 Aug 2020 at 17:27
Subject: 248562/G02: Deansgate Food Bar, 343 Deansgate, Manchester, M3 4LG,
(Deansgate ward)
To: <premises.licensing@manchester.gov.uk>
Cc: [REDACTED]

Dear Manchester City Council,

Our home is in the [REDACTED] and I am writing to object to the proposal 248562/G02 by Deansgate Food Bar, to sell food and alcohol on Monday to Saturday from 11pm to 4am.

Over the years I have had to call the police several times due to night-time violence and aggression. I have been scared to go home after dark due to groups loitering and selling/consuming drugs. I have frequently not slept properly several nights in a row due to constant night-time noise and disturbance.

I understand that the night-time economy brings important income to the Council, helping to pay for much needed services. However, it can also erode our communities, spreading fear and making whole neighbourhoods feel unsafe. This is counter-productive financially as more policing will be required and socially as it reduces cohesion.

If Deansgate Food Bar is allowed to sell food and alcohol on Monday to Saturday from 11pm to 4am more groups will be gathering under the railway arches, more groups will be drinking, more groups will be arguing/fighting. More litter will accumulate, the canal will become even dirtier, more disturbances and crimes will be reported.

We have a strong community in Castlefield and I think it's local communities like ours which contribute to creating a more positive identity for Manchester City Centre. But we need your help.

Please support us in continuing to build our community. Please reject the proposal 248562/G02 by Deansgate Food Bar, to sell food and alcohol on Monday to Saturday from 11pm to 4am.

Best wishes

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Resident 4

From: [REDACTED]
Date: Fri, 28 Aug 2020 at 09:26
Subject: 248562/G02: Deansgate Food Bar, 343 Deansgate, Manchester, M3 4LG,
(Deansgate ward)
To: <premises.licensing@manchester.gov.uk>

Dear Manchester City Council

I wish to raise an objection to the proposal 248562/G02 by Deansgate Food Bar, to sell food and alcohol on Monday to Saturday from 11pm to 4am. I own an apartment in [REDACTED] less than one block from this business and believe that this will be disruptive to my tenants and other residents in the area.

If approved its likely to generate street drinking by patrons who are already drunk after leaving licensed venues in the city centre. Given that there will be no security in place to control dangerous behaviour as there would be inside a bar, drinkers will be outside on the street and pose a potential danger to residents of [REDACTED] and other buildings returning home at night time. The proposal presents a risk of increased crime and disorder along with a reduction in public safety. There is already considerable consumption of nitrous oxide in cars parked on Deansgate, resulting in large amounts of gas canister litter. Apparently drug selling taking place on the street at night. A business like this will only encourage more drug selling and consumption.

I am aware that there already is refuse littered around the area, from bottles left at night time. Further food and alcohol consumption from a shop will add to the litter problem.

I do not think the expansion of this business is desirable for this area at these hours. There are already many established bars in the area open late for responsible patrons who wish to consume food and alcohol on the premises.

I object to the proposals as it will generate a public nuisance and I urge you to reject the business proposal/

Best regards

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[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Resident 5

From: [REDACTED]
Date: Fri, 28 Aug 2020 at 15:32
Subject: 248562/GO2: Deansgate Food Bar, 343 Deansgate, Manchester, M3 4LG, (Deansgate ward)
To: <premises.licensing@manchester.gov.uk>
Cc: <cllr.marcus.johns@manchester.gov.uk>

Dear Sir/Madam,

I am writing to oppose this licensing application. I have owned and lived in [REDACTED] [REDACTED] for over 16 years. During that time, the biggest nuisance by far has always been noise, litter and general anti-social behaviour by people late at night, walking between Old Deansgate and Whitworth St via the railway arches (i.e. opposite Deansgate Food Bar). I have had to call the police on several occasions due to threatening behaviour and fighting. On more than one occasion, people have been sitting on the steps to the entrance of our building, obstructing entrance and being abusive. The litter, particularly on Saturday and Sunday mornings, can be horrendous.

If this application is granted, and people are able to buy food and drink from Deansgate Food Bar between 11pm and 4am, this will increase footfall during these hours, increase the likelihood of people congregating, and as a consequence I am certain that the above problems will get much worse.

Regards,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Resident 6

[REDACTED]
Date: Mon, 31 Aug 2020 at 21:52
Subject: Objection to Proposal 248562/G02
To: <premises.licensing@manchester.gov.uk>

Sir/Madam,

I would like to object to the proposal number 248562/G02 by the Deansgate Food Bar who are looking to extend their hours to sell food and alcohol.

I live at [REDACTED] and the extended hours would cause considerable disruption to my health and safety and that of nearby residents.

Customers from this fast food establishment are likely to make noise in the street at the late hours proposed which would adversely impact residents' safety and sleep.

I urge you please to reconsider this proposal for the wellbeing of the numerous residents who live in proximity to the food bar.

With thanks,

[REDACTED]

Resident 7

From: [REDACTED]

Date: Mon, 31 Aug 2020 at 22:08

Subject: Proposal No 248562/G02 - Objection

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

Cc: <[REDACTED]>

Dear Manchester City Council,

I wish to raise an objection to the proposal 248562/G02 by Deansgate Food Bar which is looking to sell food and alcohol on Monday to Saturday from 11pm to 4am.

I am a resident of the neighbourhood and believe that this will have a strong negative impact on the individuals living nearby.

The increased likelihood of public intoxication, crime and antisocial behaviour is of great concern for the residents of the neighbourhood. This could impact individuals returning home at night and their health as noise from drunk patrons in the street could have a significant impact on sleep and wellbeing.

As a woman living in such close proximity to the establishment, I am very concerned that my security would be compromised by this proposal. This area of Manchester already provides several options to customers with many bars, restaurants and shops, and these establishments are generally better controlled than the proposed one with security guards, etc.

As for myself. I'm a grown man, but wouldn't feel safe walking past the place at night.

Kind Regards,

[REDACTED]

Resident 9

From: [REDACTED]

Date: Wed, 2 Sep 2020 at 19:38

Subject: 248562/GO2: Deansgate Food Bar, 343 Deansgate, Manchester, M3 4LG, (Deansgate ward)

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

Cc: <cllr.marcus.johns@manchester.gov.uk>, [REDACTED]

[REDACTED]

To Whom It May Concern,

We object to the following application: 248562/GO2: Deansgate Food Bar, 343 Deansgate, Manchester, M3 4LG, (Deansgate ward).

Our reasons are as follows;

We are residents to [REDACTED] We have already had several people who are not residents, repeatedly sit on the stairs leading up to our apartment block [REDACTED] They use the steps as a place to consume alcohol and smoke and they then leave their rubbish lying around. They also have no respect for us and other residents as they do not move out of the way to allow residents to get to their own front door. This has currently only been a small group of people, but we are deeply concerned that things will only get worse having not only a food bar open so late, but having the license to sell alcohol.

We fear that more people will use our steps as a place to sit and congregate as there is no other seating around the bridge area which brings along more severe concerns to safety - especially when entering the apartment complex and having to put in our secure code to get in. It is also worth mentioning that we work different hours across different days and are worried that the area will become noisy and disrupt ourselves and other residents that live here.

As reported by long term residents of the building, the car park next to building [REDACTED] has previously been used as a place for drunk people to urinate, which is absolutely disgusting.

Please don't let [REDACTED] become an unpleasant place to live.

We look forward to hearing back from you.

Kind regards,

[REDACTED]

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

Document is Restricted

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Alcohol only to be sold ancillary to food. Alcohol will only be sold from the premises between 1100 and 2300, after that time it will be available with food deliveries only. 2. Sales of alcohol for consumption off the premises shall only be supplied with a takeaway meal. 3. The premises shall install and maintain a comprehensive digital CCTV system. All public areas of the licensed premises, including all public entry and exit points, will be covered. 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. A staff member who is conversant with the CCTV system shall be available for contact at all times when they are open to the public and must be able to produce/download/burn CCTV images upon request by a Police Officer or an authorised officer of the Local Authority. 4. An Incident Log, which may be electronically recorded, shall be kept at the premises for at least six months. This will be made available upon requests to GMP or an authorised Officer of the Local Authority. 5. All staff shall be trained in recognising signs of drunkenness, how to refuse service and the Conditions attached to the Premises Licence. Training shall be regularly refreshed and training records shall be made available for inspection upon request to GMP or an authorised Officer of the Local Authority. 6. Any person who appears to be intoxicated or who is behaving in a disorderly manner shall not be allowed entry to the premises. 7. All deliveries of alcohol from the premises shall be carried out by employees of the premises. Please see the attached Delivery Policy. 8. All firefighting equipment will be inspected and serviced in line with the manufacturer's guidelines. 9. A direct telephone number for the Manager of the premises shall be available at the premises. This telephone number will be made available to residents in the vicinity. 10. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and to leave the area quietly. 11. Management and staff shall ensure that any litter generated by 	N/A	Applicant

Schedule of Licence Conditions

<p>customers in the immediate vicinity is collected both during and after the close of operational hours.</p> <p>12. A prominent, clear and legible notice shall be displayed at the exit of the premises to remind customers to dispose of their litter responsibly.</p> <p>13. A log shall be kept at the premises to record all refused sales of alcohol for the reason that persons is/are or appear to be under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available upon request by GMP or an Authorised Officer of the Local Authority.</p>		
Conditions proposed by objectors	Agreed	Proposed by
<p>1. On a Friday and Saturday SIA registered door staff shall be employed at the premises at a ratio of 1:100 from 2300 hours until the premises close, to help with the orderly dispersal of customers. Whilst on duty door staff shall wear Hi visibility jackets. At all other times the need for door staff shall be risk assessed by the operators.</p> <p>2. We would also ask that the premises close by 2am Monday to Thursday as per the previous licence.</p>	Yes	GMP
<p>1. No noise shall emanate from the premises that could give rise to a nuisance; including but not limited to noise from customers inside and outside the premises, delivery vehicles, opening and closing of the shutters and equipment and/or ventilation.</p> <p>2. Staff and management to ensure the area surrounding the premises is cleaned throughout the trading day and at close of business.</p> <p>3. The supply of alcohol is limited to deliveries only.</p> <p>4. Alcohol shall not be advertised, displayed or promoted within the premises and will not be supplied on a collection basis.</p> <p>5. Comprehensive documented training on the Licensing Act 2003 and the Licensing Objectives must be undertaken by all persons responsible for confirming orders of alcohol products and delivery of alcohol products.</p> <p>6. Alcohol will be supplied for delivery when ancillary to food delivery only</p>	Yes	Licensing and Out of Hours
<p>1. The Challenge 25 Scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID Card or similar document, an HM Forces ID card, or a card bearing the PASS hologram.</p>	Yes	Trading Standards

Schedule of Licence Conditions

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 21 September 2020

Subject: The Liars Club, 19A Back Bridge Street, Manchester, M3 2PB - App
ref: Premises Licence variation 248264

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendations

That the Committee determine the application.

Wards Affected: Deansgate

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Name: Patrick Ware
Position: Technical Licensing Officer
Telephone: 0161 234 4858
E-mail: premises.licensing@manchester.gov.uk

Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 24/07/2020, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of The Liars Club, 19A Back Bridge Street, Manchester, M3 2PB in the Deansgate ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. Current Licence

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

3. The Application

- 3.1 A copy of the application is attached at **Appendix 3**.
- 3.2 The variation is to
1. Add non-standard timings for New Years' Eve. All standard timings are to remain as per the existing licence.
 2. Remove condition 9 of annex 2, which contradicts the hours permitted on the face of the licence.
 3. Add the following condition in relation to door staff: 'During any period that social distancing measures are required due to the Covid-19 pandemic, door staff may be employed in lesser numbers and/or for lesser hours than required by Conditions 11, 12 and 13 of Annex 2, on the basis of an ongoing risk assessment to be carried out by the DPS, taking into account any advice given by GMP from time to time.' When the premises reopens it will trade at a much reduced capacity, with a seated offering in contrast to its usual style, and as such, the level of door staff required may not always be as per the existing conditions.
 4. Remove condition 16 of annex 2 and replace with the following: 'The use of glassware at the premises shall be subject to an ongoing risk assessment to be carried out by the DPS.'

There are to be no other changes to the licence.
Please note: Condition 9 of Annex 2 is to remain on the licence following agreement with residents.

- 3.2.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 3.2.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 3**.
- 3.3 **Activities unsuitable for children**
- 3.3.1 The applicant has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
- 3.4 **Steps to promote the licensing objectives**
- 3.4.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.
- 3.4.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 6**.
- 3.5 **Further documentation accompanying the application**
- 3.5.1 The plans of the premises are unchanged. These are included for reference at **Appendix 4**:

4. Relevant Representations

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

Responsible Authorities:

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

Other Persons:

- The Bridge Residents' Association;
- Residents x 3.

4.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	Concerns that the amendments may lead to inadequate levels of door staff.	Grant with omission of proposed door staff condition.
Licensing and Out of Hours Compliance	Concerns regarding public nuisance and the management of the outside area in relation to noise created by customers, queue management / smoking area and social distancing.	Grant with omission of proposed door staff condition.
The Bridge Residents' Association	Concerns regarding public nuisance caused by extended hours and public safety due to the use of glassware outside.	Grant if Condition 9 of Annex 2 is to remain on licence
Residents (x3)	Concerns regarding public nuisance caused by extended hours and public safety due to the use of glassware outside.	One resident requests the variation be refused. Two residents agree to grant of variation if Condition 9 of Annex 2 is to remain on licence

4.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 6**.

4.4 Agreements on conditions have been reached with the Bridge Residents' Association and two of the three residents.

5. Key Policies and Considerations

5.1 Legal Considerations

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

5.2 New Information

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

5.3 Hearsay Evidence

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

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

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

5.5 **Manchester Statement of Licensing Policy**

- 5.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' its statement of licensing policy.
- 5.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.
- 5.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.
- 5.5.4 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy:
Section 6: What we aim to encourage
 This section identifies certain types of venues and initiatives the licensing authority aims to encourage in order to promote an inclusive evening and night-time economy not simply focused on the consumption of alcohol. We aim to encourage:
- Premises that will extend the diversity of entertainment and attract a wider range of participants
 - Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
 - National cultural institutions, global sports events and cultural festivals
 - Non-drink-led premises, including restaurants, cafes, theatres and cinemas

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

Section 7: Local factors

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

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

- Identified risk factors specific to the licensed premises
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance

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

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

- | | |
|-----|---|
| MS1 | Implement effective security measures at the premises |
| MS2 | Effective general management of the premises |
| MS7 | Maintain a safe capacity |
| MS8 | Prevent noise nuisance from the premises |
| MS9 | Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway) |

6. Conclusion

- 6.1 A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 6.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible

authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council's licensing policy statement.

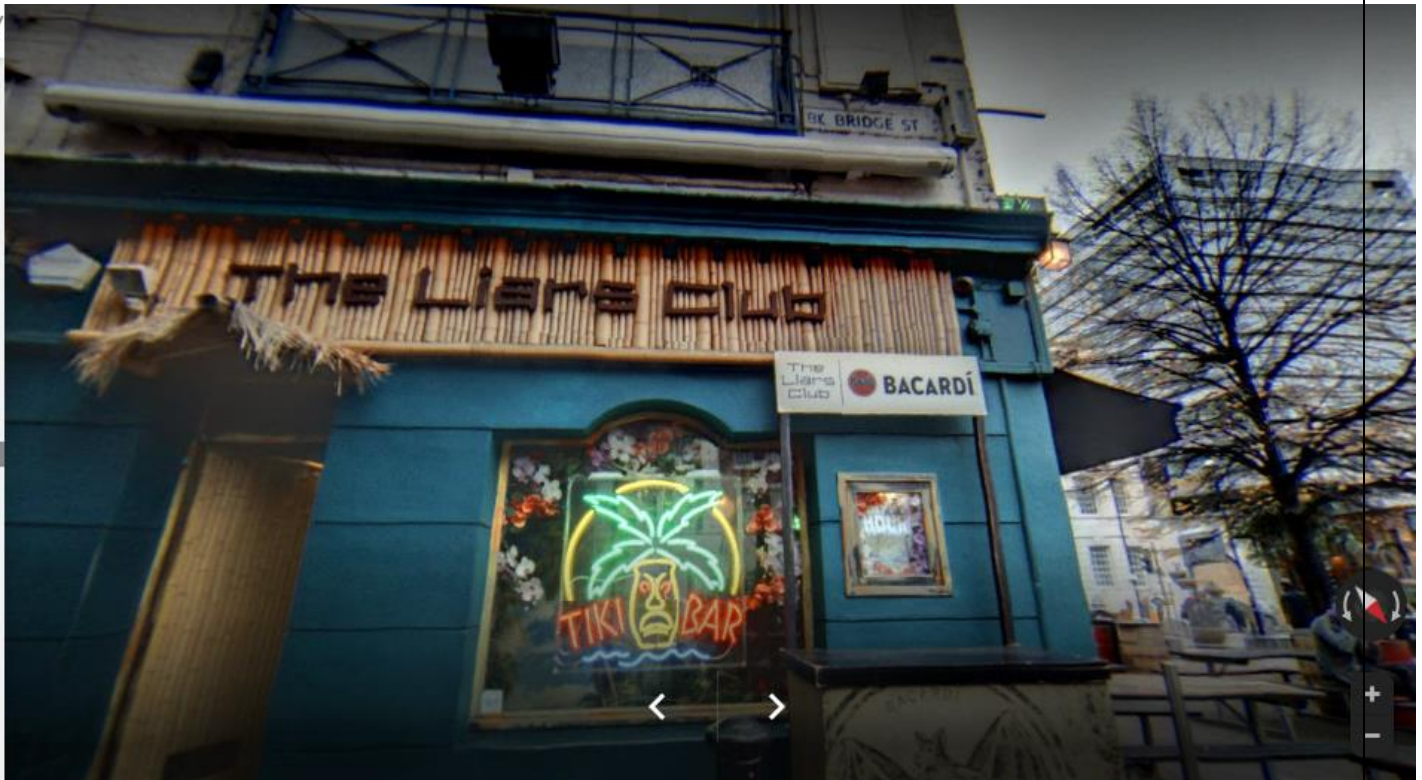
- 6.3 The Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as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



The Liars Club
19 Back Bridge Street, Manchester, M3 2PB

Premises Licensing
Manchester City Council

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PREMISE NAME: The Liars Club

PREMISE ADDRESS: 19 Back Bridge Street, Manchester, M3 2PB

WARD: Deansgate

HEARING DATE: 21/09/2020



MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	095476
Granted	04/01/2007
Latest version	DPS variation 247077 granted 01/07/20

Part 1 - Premises details

Name and address of premises
The Liars Club 19 Back Bridge Street, Manchester, M3 2PB
Telephone number
0161 834 5111

Licensable activities authorised by the licence
<ol style="list-style-type: none"> 1. The sale by retail of alcohol*. 2. The provision of regulated entertainment, limited to: <ul style="list-style-type: none"> Live music; Recorded music; Performances of dance; Anything similar to live music, recorded music or the performance of dance. <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0400	0400	0400	0400	0400	0400	0400
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non-standard Timings:							
On the day British Summer Time commences: one additional hour following the terminal hour.							

Live music; Recorded 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	0400	0400	0400	0400	0400	0400	0400
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
On the day British Summer Time commences: One additional hour following the terminal hour.							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0500	0500	0500	0500	0500	0500	0500

Seasonal variations and Non-standard Timings:
On the day British Summer Time commences: One additional hour following the terminal hour.

Part 2

Details of premises licence holder	
Name:	The Liars Club Limited
Address:	The Landmark, 21 Back Turner Street, Manchester, M4 1FR
Registered number:	07729209

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	Matthew Brian Clarke-Denton
Address:	[REDACTED]
Personal Licence number:	153557
Issuing Authority:	Salford 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: - <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (a) At a time when there is no designated premises supervisor in respect of the premises licence or, (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3.	Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
4.	<ul style="list-style-type: none"> (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 – <ul style="list-style-type: none"> (a) a holographic mark, or (b) an ultraviolet feature.
5.	(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the

premises for a price, which is less than the permitted price.

- (2) For the purposes of the condition set out in (1) above—
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) “permitted price” is the price found by applying the formula—
- $$P = D + (D \times V)$$
- where –
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value 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. The premises shall be a member of the local Pub Watch scheme.
2. No customers carrying open or sealed bottles shall be admitted to the premises at any time the premises are open to the public.
3. A sign shall be displayed on the premises indicating the standard hours during which the sale of alcohol is permitted.
4. The premises shall install a CCTV system, complete with a 28 day storage facility; the contents of which shall be provided to the Police on their request.
5. All fire doors shall be maintained effectively self-closing and shall not be held open other than by approved devices.
6. Notices detailing the actions to be taken in the event of fire or other emergencies, indicating how the fire brigade shall be summoned are to be prominently displayed.
7. A sign shall be located at the exit(s) requesting that customers leaving the premises do so quietly and with consideration to neighbours.
8. Anyone who appears to be under the age of 18 and who is attempting to purchase alcohol shall be required to produce satisfactory proof of age before such a sale is made.
9. On Sunday nights / Monday mornings, licensable activities shall cease at 0300.
10. The Challenge 21 Policy shall be implemented at all times. All staff shall be trained in its use, and that training will be repeated quarterly and recorded in writing. Notices informing customers that the Challenge 21 Policy is in force shall be displayed.
11. On Mondays, Tuesdays and Wednesdays, there shall be 2 SIA registered door supervisors employed at the premises. One shall be employed from 2100, and the second from no later than 2400.
12. On Thursdays and Sundays, there shall be 2 SIA registered door supervisors employed at the

premises. One shall be employed from 2100, and the second from 2200. The DPS / premises licence holder shall risk assess whether a third door person is necessary on those days and employ one if required.

13. On Fridays and Saturdays, there shall be 2 SIA registered door supervisors employed at the premises. One shall be employed from 2000, and the second from 2200. The DPS / Premises Licence Holder shall risk assess whether a third door person is necessary on those days and employ one if required.
14. All doormen when employed shall wear high visibility clothing.
15. The DPS or duty manager shall hold a daily briefing with staff and door supervisors prior to the commencement of their shift.
16. Only polycarbonate, plastic, cans, enamel or lightweight ceramic drinking vessels shall be used from 2200 daily. No glass shall be used after this time.
17. A plasma TV screen, monitor or similar shall be placed at the entrance to the premises so that it is easily visible to customers as they enter. It will be of such a size and shall be sufficiently detailed to allow facial recognition of each customer as they enter. The screen shall be in use at all times the premises is open to the public. Recordings from this screen will be kept in accordance with Condition 1 of Annex 3.

Annex 3 – Conditions attached after hearing by the licensing authority

1. All images recorded by CCTV system are retained in unedited format for a minimum of 28 days and made available to any responsible authority on request. The recording equipment and tapes shall be kept in a secure environment under the control of the premises licence holder or other responsible named individual. The CCTV cameras shall also monitor the outside area of the store. There shall be a member of management trained in the retrieval of CCTV footage, with the ability of downloading the relevant footage onto a disc or video, on request from the police or relevant authority.
2. Documented staff training shall be given to all staff concerned in the sale of alcohol, in relation to underage sales and drunkenness. The training shall take place every 4 - 6 months.
3. 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:-
 - a. the door supervisor's name, date of birth and home address;
 - b. his/her Security Industry Authority licence number;
 - c. the time and date he/she starts and finishes duty;
 - d. the time of any breaks taken whilst on duty;
 - e. each entry shall be signed by the door supervisor.

That register shall be available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable.

4. There shall be a last condition of entry whereby no person shall be permitted to gain entry to the premises after 0330 hours.
5. By way of dispersal policy the DPS or other person nominated in writing to be in charge shall:
 - a. Give assistance to customers in arranging taxis either by displaying local taxi numbers or ordering taxis on customer's behalf.
 - b. Request that door supervisors use their best endeavours to remind patrons to leave in a quiet and orderly manner.
 - c. Display posters in a prominent position asking customers to leave quietly and respect local residents.
6. A door supervisor shall monitor the smoking area at all times.
7. The premises shall subscribe to the Nitenet radio scheme, in conjunction with the neighbouring premises Mojo at 17 Back Bridge Street. The Premises shall share the NiteNet scheme, this is a method of communication between the city council and all the bars / clubs in Manchester City Centre.

Annex 4 – Plans

See attached

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

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

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

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

I/We The Liars Club Limited

(Insert name(s) of applicant)

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

Premises licence number

095476

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
The Liars Club, 19A Back Bridge Street

Post town	Manchester	Postcode	M3 2PB
-----------	------------	----------	--------

Telephone number at premises (if any)	
---------------------------------------	--

Non-domestic rateable value of premises	£17,500
---	---------

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	The Landmark, 21 Back Turner Street		
Post town	Manchester	Postcode	M4 1FR

Part 3 - Variation

Please tick as appropriate

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

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

DD		MM		YYYY			

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

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

The purpose of this application is to:

1. Add non-standard timings for New Years' Eve. All standard timings are to remain as per the existing licence.
2. Remove condition 9 of annex 2, which contradicts the hours permitted on the face of the licence.
3. Add the following condition in relation to door staff: *'During any period that social distancing measures are required due to the Covid-19 pandemic, door staff may be employed in lesser numbers and/or for lesser hours than required by Conditions 11, 12 and 13 of Annex 2, on the basis of an ongoing risk assessment to be carried out by the DPS, taking into account any advice given by GMP from time to time.'*
When the premises reopens it will trade at a much reduced capacity, with a seated offering in contrast to its usual style, and as such, the level of door staff required may not always be as per the existing conditions.
4. Remove condition 16 of annex 2 and replace with the following: 'The use of glassware at the premises shall be subject to an ongoing risk assessment to be carried out by the DPS.'

There are to be no other changes to the licence.

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

--

Part 4 Operating Schedule

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

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

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

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

I

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

J

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

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 10).

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	11:00	05:00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7)</p> <p>On the day that British Summer Time commences, one additional hour following the terminal hour.</p> <p>From the start time on New Year's Eve to the terminal hour for New Year's Day.</p>
Tue	11:00	05:00	
Wed	11:00	05:00	
Thur	11:00	05:00	
Fri	11:00	05:00	
Sat	11:00	05:00	
Sun	11:00	05:00	

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

Please see those conditions identified above.

Please tick as appropriate

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

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

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

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

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

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

b) The prevention of crime and disorder

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

c) Public safety

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

d) The prevention of public nuisance

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

e) The protection of children from harm

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

Checklist:

Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 12)

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

Signature	Kuit Steinart Levy LLP
Date	24 July 2020
Capacity	Solicitors and Authorised Agents

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Kuit Steinart Levy LLP, 3 St Mary’s Parsonage

Post town	Manchester	Post code	M3 2RD
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

Notes for Guidance

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

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

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

14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

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

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

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

Premise Details

Application Ref No	LPV 248264
Name of Premises	The Liars Club
Address	19 Back Bridge Street, Manchester, M3 2PB

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 Liars Club is a basement premises located on Back Bridge Street, in an area with a thriving night time economy. Which has continued to be popular since the reopening of licenced premises in July 2020; even despite further Covid-19 restrictions imposed on Greater Manchester on 31 July 2020. For the past three weeks Licensing & Out of Hour (LOH) officers have raised concerns with queues at neighbouring premises. This premises already holds a late licence allowing customers to be on the premises until 05:00hrs every day of the week.

The applicant has requested that a temporary condition be added to the licence which will allow a reduction in security staff during Covid-19 restrictions; alongside this request they are also asking to relax their use of polycarbonate drinking vessels and extend their hours in relation to NYE.

The licence currently only imposes a maximum of two security personnel from 22:00 on the traditionally busier Friday and Saturday nights as well as Thursday and Sunday. All other nights of the week the requirement of a second member of security staff is not until 00:00. The reduction in security has only been requested till such time as Covid-19 social distancing restrictions are eased.

The applicant has offered little detail on how the premises intends to operate during the time they intend employ a reduced number of security staff if any. Therefore the Licensing and Out of Hours Compliance Team have serious concerns about the venues ability to uphold the licensing objectives, conditions and requirements under Covid-19 restrictions. Including but not limited to management of the outside area in relation to noise created by customers, queue management / smoking area and social distancing

The LOH have no concerns regarding the other amendments to the licence

requested but would request that the additional temporary licence condition in relation to security staff is not included as part of this application. Due to the concerns raised above will lead to a greater risk of public nuisance and alongside this increase the risk to public safety during Covid-19.

GREATER MANCHESTER POLICE - REPRESENTATION

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

About the Premises	
Application Reference No.	LPV 248264
Name of the Premises	The Liar's Club
Address of the premises including postcode	19 Back Bridge Street, Manchester M3 2PB

Your Representation	
Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the licence on the licensing objectives on and in the vicinity of the premises in question.	
Please accept this as formal notification of the Greater Manchester Police objection to the premises licence variation in relation to the above premises on the grounds of Prevention of Crime and Disorder the Prevention of Public Nuisance and Public Safety	
<p>The applicant wishes to add a condition which permits the premises to reduce the numbers of SIA door staff on duty or reduce the hours that they are on duty during the period of the Covid-19 pandemic.</p> <p>Whilst GMP completely understand that premises will have fewer customers due to social distancing the way that the condition is worded is to open ended and could mean that the premises choose to have no door staff on or only have one member of door staff on duty.</p> <p>The premises are a basement bar, accessed from street level so GMP are concerned that if they have no door staff then clearly the queue management will be compromised and also there will be no security on duty to deal with any incidents that may occur. If they only have one member of door staff on duty then they will be positioned at the main entrance to manage persons coming into the premises and any queues and therefore they will not be in a position to deal with any issues that occur inside the premises unless they leave the entrance unattended. They will also not have a line of sight with staff inside the premises due to the basement style of the premises.</p> <p>GMP say that in these times of required social distancing and other measures that premises need to be following, there is actually a greater need for door staff, to help make sure that the customers are abiding by these measures, particularly when they have had a few drinks and are perhaps not as focussed as they may usually be.</p> <p>GMP have no issues with the addition of non- standard timings for New Year's Eve or the removal of condition 9, annex 2.</p>	

From: [REDACTED] <[REDACTED]>
Date: Wed, 12 Aug 2020 at 12:21
Subject: 248264/PW5
To: <premises.licensing@manchester.gov.uk>

Can i raise an objection to this request . The noise and disturbance from this venue travels accross the river and it a nuisance for the residents at the Bridge M3 5 EW.

I see no reason why any venue needs to be open past 3 am, particularly those in close proximity to homes.
Can the council please consider the rights of local residents and refuse this application.

Regards

[REDACTED]

From: **Rebecca Ingram** <[REDACTED]>
Date: Sat, 29 Aug 2020 at 13:46
Subject: RE: The Liars Club - Variation Application (THE633/2)
To: [REDACTED]>
Cc: Premises Licensing <premises.licensing@manchester.gov.uk>

Hi [REDACTED],

Thanks for confirming, that's great.

I'm copying in premises licensing here for their information.

Kind regards,

Becki

From: [REDACTED] [mailto:[REDACTED]]
Sent: 29 August 2020 13:37
To: Rebecca Ingram
Subject: Re: The Liars Club - Variation Application (THE633/2)

**Ok i am happy with that
Regards**

[REDACTED]

On 29 Aug 2020, at 13:21, Rebecca Ingram <[REDACTED]> wrote:

Rebecca Ingram

Associate | Licensing

For and on behalf of Kuit Steinart Levy LLP

Tel: +[REDACTED]

Hi [REDACTED],

Of course, the proposals were as follows:

1. Add non-standard timings for New Years' Eve. All standard timings are to remain as per the existing licence.
2. ~~Remove condition 9 of annex 2, which contradicts the hours permitted on the face of the licence.~~

3. Add the following condition in relation to door staff: *'During any period that social distancing measures are required due to the Covid-19 pandemic, door staff may be employed in lesser numbers and/or for lesser hours than required by Conditions 11, 12 and 13 of Annex 2, on the basis of an ongoing risk assessment to be carried out by the DPS, taking into account any advice given by GMP from time to time.'*

When the premises reopens it will trade at a much reduced capacity, with a seated offering in contrast to its usual style, and as such, the level of door staff required may not always be as per the existing conditions.

4. Remove condition 16 of annex 2 and replace with the following: 'The use of glassware at the premises shall be subject to an ongoing risk assessment to be carried out by the DPS.'

You'll see I've crossed through the element that my client proposes to remove.

Should you have any further queries please do let me know.

Kind regards,

Becki

From: [REDACTED] [[mailto:\[REDACTED\]](mailto:[REDACTED])]
Sent: 27 August 2020 18:15
To: Rebecca Ingram
Subject: Re: The Liars Club - Variation Application (THE633/2)

<image001.png>

Can you remind me what else your clients were requesting.

Regards

[REDACTED]

On 27 Aug 2020, at 16:58, Rebecca Ingram <[REDACTED]> wrote:

Rebecca Ingram

Associate | Licensing

For and on behalf of Kuit Steinart Levy LLP

Tel: + [REDACTED]

Hi [REDACTED],

Apologies for any confusion, yes that's correct.

Kind regards,

Becki

From: [REDACTED] [mailto:[REDACTED]]
Sent: 27 August 2020 13:57
To: Rebecca Ingram
Subject: Re: The Liars Club - Variation Application (THE633/2)

<image001.png>

Becki, do you mean 3 am Monday mornings?

Regards

[REDACTED]

On 27 Aug 2020, at 12:07, Rebecca Ingram <[REDACTED]> wrote:

Rebecca Ingram

Associate | Licensing

For and on behalf of Kuit Steinart Levy LLP

Tel: +[REDACTED]

Good afternoon [REDACTED],

I hope you are well. I act for The Liars Club in relation to the above matter.

The Council have forwarded your representation to me, and I have had the opportunity of discussing my client.

They understand your concerns and as such are happy to withdraw the element of the application which allows trade beyond 3am on a Sunday night.

Could you confirm whether your concerns are addressed by the removal of this?

Should you wish to discuss any further, please do give me a call on [REDACTED].

I look forward to hearing from you.

Kind regards,

Becki

Rebecca Ingram

Associate

Licensing

For and on behalf of Kuit Steinart Levy LLP

Dept: + [REDACTED]

Fax: + [REDACTED]

tel: + [REDACTED]

3 St Marys Parsonage

www.kuits.com

Email: [REDACTED]

From: [REDACTED] <[REDACTED]>
Date: Thu, 13 Aug 2020 at 23:19
Subject: Re: Application Type: Premises Licence variation Reference:
248264/PW5
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>

Dear Sir/Madam

The objection raised by the Residents Association also has my support for all the reasons outlined

[REDACTED]
Owner appt [REDACTED]

On 13 Aug 2020, at 19:33, The Bridge Residents' Association
<[REDACTED]> wrote:

Dear Sir/Madam,

I am writing on behalf of the residents and owners of The Bridge apartments, Salford M3 5EW which is directly across the Calatrava Bridge beside The Liars Club M3 2PB. You will notice the proximity in the post codes.

The Prevention of Public Nuisance:

We are concerned that the application seeks extension of licensing hours beyond 3 a.m. on Sunday night into Monday morning. This will cause extended hours of noise nuisance to our residents from the club itself and from noisy, drunken club attendees shouting and fighting as they walk over the bridge often loitering outside our building. We experience this nuisance already and this can only be increased with further drinking hours being made available. Monday morning is a working day and our residents seek a restful night's sleep before commencing upon their working week.

The protection of children from harm:

There are a number of children living in the apartments and we want to ensure their rest at night as far as possible.

The prevention of crime and disorder:

Public Safety:

Further to this, the use of glassware outside a night club seems unwise from a health and safety perspective. This is an unusual request. We would prefer that drunken club attendees did not have access to glassware.

We want to live beside our Manchester counterparts as peacefully as is possible being so close to the city centre and ask that you rescind these aspects of the above application.

Best wishes,
The Bridge Residents' Association Committee

From: **The Bridge Residents' Association** <[REDACTED]>
Date: Thu, 13 Aug 2020 at 19:33
Subject: Application Type: Premises Licence variation Reference:
248264/PW5
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>

Dear Sir/Madam,

I am writing on behalf of the residents and owners of The Bridge apartments, Salford M3 5EW which is directly across the Calatrava Bridge beside The Liars Club M3 2PB. You will notice the proximity in the post codes.

The Prevention of Public Nuisance:

We are concerned that the application seeks extension of licensing hours beyond 3 a.m. on Sunday night into Monday morning. This will cause extended hours of noise nuisance to our residents from the club itself and from noisy, drunken club attendees shouting and fighting as they walk over the bridge often loitering outside our building. We experience this nuisance already and this can only be increased with further drinking hours being made available. Monday morning is a working day and our residents seek a restful night's sleep before commencing upon their working week.

The protection of children from harm:

There are a number of children living in the apartments and we want to ensure their rest at night as far as possible.

The prevention of crime and disorder:

Public Safety:

Further to this, the use of glassware outside a night club seems unwise from a health and safety perspective. This is an unusual request. We would prefer that drunken club attendees did not have access to glassware.

We want to live beside our Manchester counterparts as peacefully as is possible being so close to the city centre and ask that you rescind these aspects of the above application.

Best wishes,
The Bridge Residents' Association Committee

From: **Rebecca Ingram** <[REDACTED]>
Date: Thu, 27 Aug 2020 at 17:01
Subject: RE: The Liars Club - Variation Application (THE633/2)
To: Bridge RA <[REDACTED]>
Cc: Premises Licensing <premises.licensing@manchester.gov.uk>

Good afternoon,

That's great, thanks for your confirmation, much appreciated.

I'm copying in the licensing team here for their information.

Kind regards,

Becki

Rebecca Ingram

Associate | Licensing

For and on behalf of Kuit Steinart Levy LLP

Tel: + [REDACTED]

From: Bridge RA [mailto:[REDACTED]]
Sent: 27 August 2020 16:47
To: Rebecca Ingram
Subject: Re: The Liars Club - Variation Application (THE633/2)

Dear Becki,
I would like to confirm that the RA is happy with the removal/clarifications outlined below.
Thanks you for your prompt response.
Best wishes,
The Bridge RA committee

On 27 Aug 2020, at 12:07, Rebecca Ingram <[REDACTED]> wrote:

Good afternoon,

I hope you are well. I act for The Liars Club in relation to the above matter.

The Council have forwarded your representations to me, and I have had the opportunity of discussing my client.

They understand your concerns and as such are happy to withdraw the element of the application which allows trade beyond 3am on a Sunday night.

From: [REDACTED] <[REDACTED]>
Date: Fri, 21 Aug 2020 at 15:05
Subject: Objection to premises licence application 248264PW5: The Liars Club, 19A Back
To: premises.licensing@manchester.gov.uk
<premises.licensing@manchester.gov.uk>, [REDACTED]
<[REDACTED]>

Original email bounced back from: premises.licensing@manchester.gov.uk

Dear Sir/Madam,

I am an owner living at The Bridge apartments, Salford M3 5EW which is directly across from The Liars Club M3 2PB. I have been disturbed on a regular basis with loud noise and music coming from the vicinity of The Liars Club, Mojo, Crazy Pedros including the emptying of bottles during early mornings. Loitering in the area outside The Bridge apartments has increased over recent months- with all the revellers entering the area from the Manchester side of the Trinity footbridge.

The Prevention of Public Nuisance:

I have been informed that there is an application to modify the terms of the licensing hours with some modification in light of British Summer Time. Opening hours that extend to 4 a.m. and 5 a.m. is unreasonable and inconsiderate to the local neighbours. Please consider that the club is located within an area close to dwellings and as such any activity during the night will impact upon the sleep of local residents. Any changes to the opening hours should be reduced as much as possible to minimise disruption to neighbours. I am concerned that the application seeks extension of licensing hours beyond 3 a.m. on Sunday night into Monday morning, the details of this are unclear and the application should lay out all details as necessary. This will cause extended hours of noise nuisance to our residents from the club itself and from noisy, drunken club attendees shouting and fighting as they walk over the bridge often loitering outside our building. The hours available to consume alcoholic beverages should be reduced as far as possible. I experience this nuisance already and this can only be increased with further drinking hours being made available. Monday morning is a working day I need a restful night's sleep before commencing upon my working week.

The prevention of crime and disorder:

Public Safety:

Further to this, the use of glassware outside a night club seems unwise from a health and safety perspective. This is an unusual request. I would prefer that drunken club attendees did not have access to glassware.

I would like to be informed of any applications in the Manchester City area which are likely to impact upon The Bridge as it took me considerable time to locate the details of the application on your website, even with the reference number.

Best wishes,
[REDACTED]

In terms of glassware, I should clarify that there is no proposal to utilise glassware outside the premises – this proposal relates only to drinks inside the premises.

Could you confirm whether your concerns are addressed by the removal/clarification provided here?

Should you wish to discuss any further, please do give me a call on [REDACTED].

I look forward to hearing from you.

Kind regards,

Becki

Rebecca Ingram

Associate

Licensing

For and on behalf of Kuit Steinart Levy LLP

Dept: + [REDACTED]

Fax: + [REDACTED]

From: **Rebecca Ingram** <[REDACTED]>
Date: Thu, 27 Aug 2020 at 16:59
Subject: RE: The Liars Club - Variation Application (THE633/2)
To: [REDACTED] <[REDACTED]>
Cc: Premises Licensing <premises.licensing@manchester.gov.uk>

Hi [REDACTED],

That's great, thanks for your confirmation, much appreciated.

I'm copying in the licensing team here for their information.

Kind regards,

Becki

Rebecca Ingram

Associate | Licensing

For and on behalf of Kuit Steinart Levy LLP

Tel: + [REDACTED]

From: [REDACTED] [mailto:[REDACTED]]
Sent: 27 August 2020 14:58
To: Rebecca Ingram
Subject: Re: The Liars Club - Variation Application (THE633/2)

Dear Becki,

Many thanks for your email.

I am happy that the trading hours will be ended at 3 am on Sunday nights/Monday mornings. I have no problem with glassware being used inside the club.

I can confirm that my concerns have been addressed by the removal/clarification in your email below.

Best wishes,

[REDACTED]

From: Rebecca Ingram <[REDACTED]>
Sent: 27 August 2020 11:08
To: [REDACTED] <[REDACTED]>
Subject: The Liars Club - Variation Application (THE633/2)

Good afternoon,

I hope you are well. I act for The Liars Club in relation to the above matter.

The Council have forwarded your representations to me, and I have had the opportunity of discussing my client.

They understand your concerns and as such are happy to withdraw the element of the application which allows trade beyond 3am on a Sunday night.

In terms of glassware, I should clarify that there is no proposal to utilise glassware outside the premises – this proposal relates only to drinks inside the premises.

Could you confirm whether your concerns are addressed by the removal/clarification provided here?

Should you wish to discuss any further, please do give me a call on [REDACTED].

I look forward to hearing from you.

Kind regards,

Becki

Rebecca Ingram

Associate

Licensing

For and on behalf of Kuit Steinart Levy LLP

Dept: + [REDACTED]

Fax: + [REDACTED]

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

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Add non-standard timings for New Years' Eve. All standard timings are to remain as per the existing licence. 2. Remove condition 9 of annex 2, which contradicts the hours permitted on the face of the licence. 3. Add condition 'During any period that social distancing measures are required due to the Covid-19 pandemic, door staff may be employed in lesser numbers and/or for lesser hours than required by Conditions 11, 12 and 13 of Annex 2, on the basis of an ongoing risk assessment to be carried out by the DPS, taking into account any advice given by GMP from time to time.' 4. Remove condition 16 of annex 2 and replace with the following: 'The use of glassware at the premises shall be subject to an ongoing risk assessment to be carried out by the DPS.' 	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 5. Condition 9 of annex 2, which contradicts the hours permitted on the face of the licence. This condition is to remain on the licence 	Yes	Res1, Res5 & Bridge Residents' Association

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 21 September 2020

Subject: Tony's Cafe 2, 39 Button Lane, Manchester, M23 0LZ - App ref: Premises Licence (new) 248598

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendations

That the Panel determine the application.

Wards Affected: Brooklands

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

Name: Fraser Swift
Position: Principal Licensing Officer
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Name: Patrick Ware
Position: Technical Licensing Officer
Telephone: 0161 234 4858
E-mail: premises.licensing@manchester.gov.uk

Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 07/08/2020, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Tony's Cafe 2, 39 Button Lane, Manchester, M23 0LZ in the Brooklands 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 Anthony Baker.
- 2.3 The description of the premises given by the applicant is Café/Coffee shop.
- 2.4 The proposed designated premises supervisor is Anthony Baker.
- 2.5 **The licensable activities applied for:**
 Provision of regulated entertainment indoors (recorded music):
 Mon to Fri 8am to 11pm, Sat 10am to 11pm, Sun 10am to 10.30pm
- The supply of alcohol for consumption both on and off the premises:
 Sun to Wed 11am to 2pm, Thu to Sat 11am to 11pm
- Opening hours:
 Mon to Wed 7.45am to 2pm, Thu to Fri 7.45am to 11pm, Sat 9am to 11pm,
 Sun 9am to 2pm
- 2.5.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.

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

2.6 **Activities unsuitable for children**

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

2.7 **Steps to promote the licensing objectives**

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

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

2.8 **Further documentation accompanying the application**

2.8.1 The applicant has submitted the following documents in support of their application, which are included with the application form at **Appendix 5**:

- Plan of Premises

3. **Relevant Representations**

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

Responsible Authorities:

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

Other Persons:

- Cheetham Ward Councillor;
- Residents (x3).

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	Concerns that premises could become more of a bar than a café that sells alcohol and that the outside area could become a source of noise disturbance if the applied for hours are granted.	Grant with conditions

Licensing and Out of Hours Compliance	Concerns that the may give rise to public nuisance from noise and litter due to the close proximity to residential dwellings and hours applied for.	Grant with conditions
Trading Standards	Concerns regarding the premises' age verification policy and the promotion of the Protection of Children from Harm Licensing Objective.	Grant with conditions
Cheetham Ward Councillor	Concerns regarding congregation of youths outside premises, underage drinking and potential public nuisance from music and youths.	None
Residents (x3)	Concerns regarding public nuisance, crime and disorder and anti-social behaviour from youths congregating outside the premises.	None

- 3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.
- 3.4 Agreements on conditions have been reached with Trading Standards, Licensing Out of Hours and GMP.

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 New Information

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

4.3 Hearsay Evidence

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

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

- 4.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided for all parties involved in licensing. It is a key medium for promoting best practice,

ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.

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

4.5 **Manchester Statement of Licensing Policy**

- 4.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' its statement of licensing policy.
- 4.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.
- 4.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.
- 4.5.4 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy:
Section 6: What we aim to encourage
 This section identifies certain types of venues and initiatives the licensing authority aims to encourage in order to promote an inclusive evening and night-time economy not simply focused on the consumption of alcohol. We aim to encourage:
- Premises that will extend the diversity of entertainment and attract a wider range of participants
 - Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
 - National cultural institutions, global sports events and cultural festivals
 - Non-drink-led premises, including restaurants, cafes, theatres and cinemas
 - Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application

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

Section 7: Local factors

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

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

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

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

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

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS8 Prevent noise nuisance from the premises
- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

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

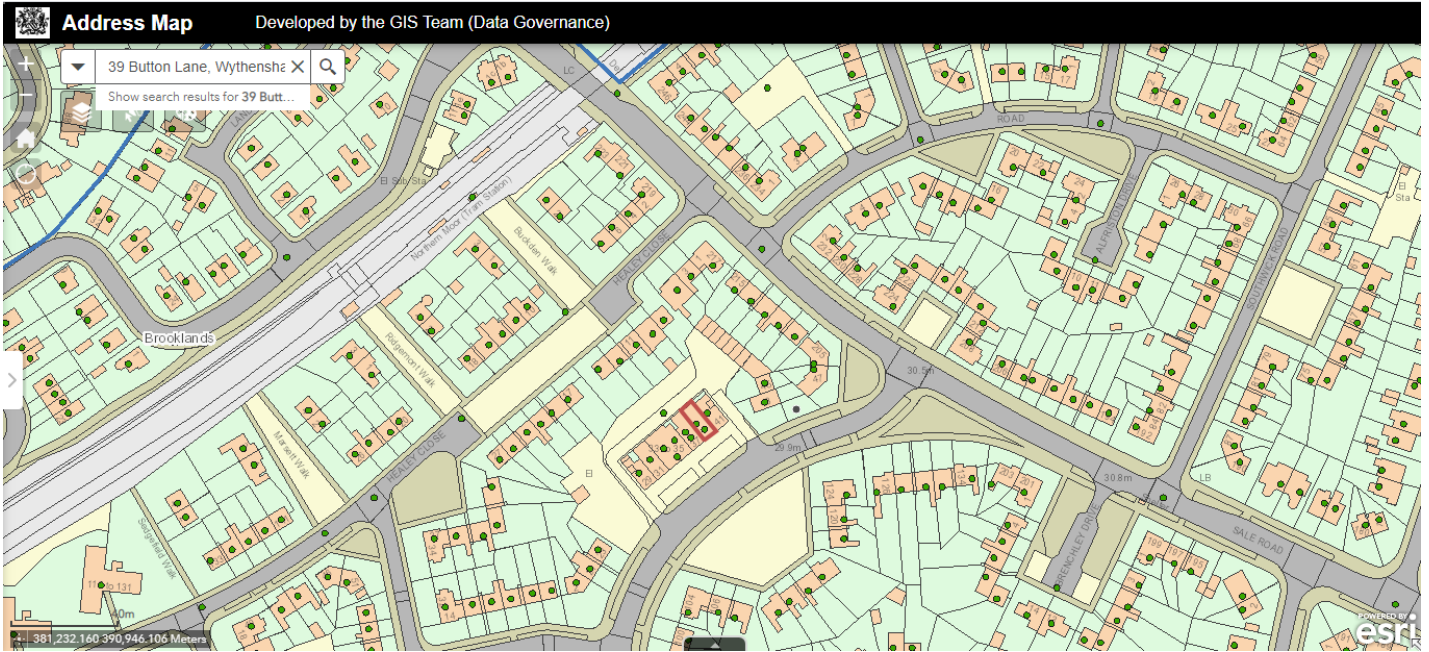
This section provides that the operation of any areas on the public highway licensed for tables and chairs should be considered with regard to all relevant Standards set out in Section 8 of the Policy.

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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Tony's Cafe 2
39 Button Lane, Manchester, M23 0LZ

Premises Licensing
Manchester City Council

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Survey100019568.



PREMISE NAME:	Tony's Cafe 2
PREMISE ADDRESS:	39 Button Lane, Manchester, M23 0LZ
WARD:	Brooklands
HEARING DATE:	21/09/2020

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 Anthony baker

(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 39 button lane Northern moor			
Post town	Wythenshawe	Postcode	M23 0Lz

Telephone number at premises (if any)	██████████
Non-domestic rateable value of premises	£5700

Part 2 - Applicant details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership please complete section (B)
- ii as a partnership (other than limited liability) please complete section (B)
- iii as an unincorporated association or please complete section (B)
- iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)

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

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

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)

M r	x	Mr s	<input type="checkbox"/>	Mi ss	<input type="checkbox"/>	M s	<input type="checkbox"/>	Other Title (for example, Rev)	
Surname baker					First names anthony Gordon				
Date of birth [REDACTED]			I am 18 years old or over			x		Please tick yes	
Nationality British									
Current residential address if different from premises address			[REDACTED]						
Post town		[REDACTED]				Postcode		[REDACTED]	
Daytime contact telephone number					[REDACTED]				
E-mail address (optional)			[REDACTED]						
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)									

SECOND INDIVIDUAL APPLICANT (if applicable)

M r	Mr s	Mi ss	M s	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	09	2020

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

DD	MM	YYYY

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

We are a café/coffee shop located on a parade of 8 shops

We have two bay type windows and the entrance door is located in the middle of these windows we have the capacity to seat 24 persons inside and have 2 bistro type table and chairs outside either side of the entrance doorway the pavement area is privately owned by the landlord directly in front of this is a grassed area running the length of the parade but a break in the middle which is paved allowing people to way through there is then another pavement area which is owned by the council and then the road which has a layby type parking area

The shop front aras are covered by cctv owned by mcc

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

n/a

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

x

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	x
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	8.00	23.00	Please give further details here (please read guidance note 4) Soft back ground or /and radio playing /cd player		
Tue	8.00	23,00			
Wed	8.00	23.00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	8.00	23.00			
Fri	8.00	23.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	10.00	23.00			
Sun	10.00	22.30			

G

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

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	x
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Mon	11.00	14.00			
Tue	11.00	14.00			
Wed	11.00	14.00			
Thur	11.00	23.00			
Fri	11.00	23.00			
Sat	11.00	23.00			
Sun	11.00	14.00			

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

Name		anthony baker	
Date of birth		[REDACTED]	
Address			
[REDACTED]			
Postcode		[REDACTED]	
Personal licence number (if known)			
Pa078036			
Issuing licensing authority (if known)			
Trafford council			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of

children (please read guidance note 9).
n/a

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	7.45	1400	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
Tue	7.45	1400	
Wed	7.45	1400	
Thur	7.45	2300	
Fri	7.45	2300	
Sat	9.00	2300	
Sun	09.00	1400	

M

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

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

The steps I will take to support /promote the 4 licensing objectives (general)
 all staff are fully trained in all 4 objectives
 To as te dps be onsite as much as possible . when I am not onsite that I have a responsible person acting on my behalf To have good clear signage

b) The prevention of crime and disorder

To promote prevention of crime and disorder I will
 Have cctv in place recording
 Challenge 25 posters and Id checks to control underage drinking
 To have sufficient staff on at busy times and that they are trained to manage busy times and
 To handle difficult situations
 To offer a selection of low and non-alcoholic drinks

c) Public safety

Employer and public liability insurance in place
 Fire extinguishers emergency exit with good signage
 All parts of the premises to be in good repair and maintained as and when required
 Working fire alarm /risk/ hazard assessment

d) The prevention of public nuisance

Good clear signage asking people to leave the premises quietly and to not accumulate on the
 parade
 To supply/phone a taxi for people wanting to leave and ask them to wait inside
 To ask the taxi drivers not to bleep the horn to let people know they are outside
 To use a taxi app if and when possible

e) The protection of children from harm

Children are only allowed to enter into the café unless accompanied with a responsible adult
 Children are not allowed into the café even if accompanied with a responsible adult after 7.00
 Pm
 To always challenge 25 persons age and to ask for Id

Checklist:**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.


- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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

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

Part 4 – Signatures (please read guidance note 11)

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

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

Date	05/08/2020
Capacity	owner

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

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

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for ‘not-for-profit’ film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:

- any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

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

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be

certified), or 2) by providing their ‘share code’ to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

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

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

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

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

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

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

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

Home Office online right to work checking service

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

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

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

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

Consent of individual to being specified as premises supervisor

I Anthony Gordon baker

[full name of prospective premises supervisor]

of



[home address of prospective premises supervisor]

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

Premises licence

[type of application]

by

Anthony Gordon baker

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

Tonys café 2
39 button lane
Northern moor
Wythenshawe
M23 0lz

[name and address of premises to which the application relates]

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

Anthony Gordon baker

[name of applicant]

concerning the supply of alcohol at

Tonys café 2
39 button lane
Northern moor
Wythenshawe
M23 0lz

[name and address of premises to which application relates]

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

Personal licence number

PA078036

[insert personal licence number, if any]

Personal licence issuing authority

Trafford council licensing section Trafford town hall Talbot road stretford m320th
0161 912 4047

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



Name (please print) Anthony baker

Date 06/08/2018

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

Document is Restricted

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GREATER MANCHESTER POLICE - REPRESENTATION

About You

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

About the Premises

Application Reference No.	LPA 248598
Name of the Premises	Tony's Café
Address of the premises including postcode	39 Button Lane, Manchester M23 0LZ

Your Representation

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

Please accept this as formal notification of the Greater Manchester Police objection to the premises licence application in relation to the above premises on the grounds of Prevention of Crime and Disorder and the Prevention of Public Nuisance.

The premises are situated in a parade of commercial premises in a densely residential area and the applicant is seeking to sell alcohol for consumption on and off the premises from 11am each day to 2pm Sunday to Wednesday and until 11pm Thursday to Saturday. They are also seeking to be allowed to have regulated entertainment in the form of recorded music from 8am during the week and from 10am at weekends.

The applicant has offered some conditions within the operating schedule but due to the residential nature of the area GMP don't believe that these are robust enough to ensure that the Licensing objectives will not be undermined.

GMP are concerned that the premises is likely to become more of a bar than a café, which also sells alcohol, and that the outside area could cause noise disturbance to nearby residents if allowed to be used until the times stated in the application.

Therefore if committee were minded to grant the licence GMP would ask that the following conditions are attached:

Alcohol for consumption on and/or off the premises will only be sold ancillary to the purchase of food.

The outside area shall not be used after 2100hrs each day and the outdoor furniture will be secured or removed so as it cannot be used.

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

shall be provided.

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

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

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

There shall be no external speakers in operation at the premises.

From: <Alan.Isherwood@gmp.police.uk>
Date: Wed, 2 Sep 2020 at 11:38
Subject: RE: LPA 248598
To: <[REDACTED]>, <premises.licensing@manchester.gov.uk>
Cc: <CentralLicensing@gmp.police.uk>

Dear All,

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

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

Kind Regards

Alan

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

alan.isherwood@gmp.police.uk

0161 856 6017

Follow us on Twitter: @gmpolice

NOT PROTECTIVELY MARKED

From: anthony BAKER [mailto:[REDACTED]]
Sent: 02 September 2020 10:49
To: Alan Isherwood
Cc: Premises Licensing
Subject: LPA 248598

Hi Alan

I have received your email and am happy to comply with the recommendation s set out

With regards

Anthony baker
Tony's café
39 button lane northern moor

**Licensing & Out of Hours Compliance Team
Evidence for Sub Committee Hearing**

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

Premise Details

Application Ref No	248598
Name of Premises	Tony's Cafe 2
Address	39 Button Lane, Manchester M23 0LZ

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.

We, the Responsible Authority for Environmental Health, are submitting a representation following the application for a licence to permit:

- **Provision of regulated entertainment indoors (recorded music):
Mon to Fri 8am to 11pm, Sat 10am to 11pm, Sun 10am to 10.30pm**
- **The supply of alcohol for consumption both on and off the premises:
Sun to Wed 11am to 2pm, Thu to Sat 11am to 11pm**

We have assessed the likely impact of the grant of this application; taking into account a numbers of factors, including: the nature of the area in which the premises is located; the hours applied for, and the potential risk that the granting of this license could have on the four licensing objectives.

The premises is operating as an eat in or takeaway cafe, designed to serve both the local community along with passing trade. Located on Button Lane, which is within the Brooklands Ward (South). The premises is situated within a mixed use building with commercial premises on the ground floor and residential properties above and in close proximity to residential dwellings; local businesses; a community park and a Primary School.

We believe this premises may give rise to public nuisance from noise and litter due to the close proximity to residential dwellings and hours applied for.

The grounds for representation are:

- **the prevention of public nuisance**

We are concerned that if this application for a new premises licence is granted, it will increase the footfall in the area and increase the number of patrons congregating in the area following dispersal from the premises until the requested closing time of 23:00. This could lead to an increase in public nuisance and impact adversely on local residents, businesses and other licensed premises in the area.

We believe that the grant of this licence would not promote the aforementioned objectives as the steps provided by the applicant do not fall in line with the Revised Guidance issued under Section 182 of the Licensing Act 2003 which suggests conditions:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve.

Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate.

If the Licensing Authority was to support the grant of this application based on the steps provided by the applicant the licence would be unclear to the Premises Licence Holder, Designated Premises Supervisor, Enforcement Officers, the Courts and local residents.

The Licensing and Out of Hours Team in our capacity as the Environmental Health Responsible Authority agree to approve this licence application with the following amendments to the proposed hours and conditions to further support licensing objectives within the Licensing Act 2003 and Manchester City Councils Statement of Licensing 2016-2022.

General

The premises shall only operate as a restaurant/café:

- (i) in which customers are shown to their table
- (ii) that provides food in the form of substantial table meals prepared on the premises and served and consumed at the table using non-disposable crockery
- (iii) that does not provide any takeaway service of drink for immediate consumption

Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a takeaway meal.

All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

The prevention of crime and disorder

All staff shall be briefed and be aware of their responsibilities and relevant company operating procedures before they commence paid duty at the premises.

Any person who appears to be intoxicated or who is behaving in a disorderly manner shall not be allowed entry to the premises.

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

- all crimes reported to the venue, or by the venue to the police
- all ejections of patrons
- any complaints received

- any incidents of disorder
- seizures of drugs, offensive weapons, fraudulent ID or other items
- any faults in the CCTV system, searching equipment or scanning equipment
- any refusal of the sale of alcohol
- any faults in the CCTV system, searching equipment or scanning equipment
- any visit by a relevant authority or emergency service
- the times on duty, names and the licence numbers of all licensed door supervisors employed by the premises.

All staff shall be trained in

- relevant age restrictions in respect of products,
- recognising signs of drunkenness,
- how to refuse service,
- the premises' duty of care,
- company policies and reporting procedures,
- action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services,
- the conditions in force under this licence.

Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 12 monthly intervals.

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. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce/download/ burn CCTV images upon request by a police officer or an authorised officer of the licensing authority.

Public safety

All firefighting equipment is inspected and serviced in line with the appropriate British Standard.

The premises licence holder shall ensure that at all times when the public is present there is at least one competent person able to administer first aid, that an adequate and appropriate supply of first aid equipment and materials is available on the premises, and that adequate records are maintained in relation to the supply of any first aid treatment.

All staff on duty at the premises shall be trained in the Fire Safety and Evacuation procedures for the premises and aware of their individual responsibilities.

The designated premises supervisor shall ensure that tables are cleared of all bottles and glasses on a regular basis during trading hours to avoid an accumulation of glassware.

The prevention of public nuisance

No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.

Speakers shall not be located/operated in the entrance lobby or outside the premises.

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

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

Notices shall be prominently displayed at any area used for smoking, requesting patrons to respect the needs of local residents and use the area quietly.

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

No rubbish, including bottles, shall be moved, removed or placed in outside areas between 21:00 and 08:00 hours.

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

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

Recommendation: **Approve with Conditions (Outlined Above)**

From: **Matthew Stewart** <m.stewart@manchester.gov.uk>
Date: Wed, 9 Sep 2020 at 13:21
Subject: LPA 248598, Tony's Cafe, 39 Button Lane, Manchester, M23 0LZ
To: Premises Licensing <premises.licensing@manchester.gov.uk>

Hello,

Please see the email chain below. We have agreed to change a condition we put forward on a representation as detailed below.

If you need any further information please let me know.

Regards,

Matt Stewart
Neighbourhood Officer (City Wide)
Union Representative for Unite the Union

Direct: 0161 245 7736 (ex 37736) | **Mobile:** 07976 904089

Please note: in the event of legal proceedings, this correspondence and any replies could be disclosed to the Court.

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

From: **anthony BAKER** <[REDACTED]>
Date: Thu, 3 Sep 2020 at 18:06
Subject: Re: FW: Premises licence
To: Matthew Stewart <m.stewart@manchester.gov.uk>

Hi Mathew
Thank you and yes I agree with the amendments

Anthony baker
Tony's café

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From: Matthew Stewart <m.stewart@manchester.gov.uk>
Sent: Thursday, September 3, 2020 10:11:13 AM
To: anthony BAKER <[REDACTED]>
Subject: Re: FW: Premises licence

Hi Mr Baker,

Thank you for your email.

I have responded to each of your points below:

- 1) As it stands, this would be acceptable and not considered a breach of the licence conditions as the customer would still be purchasing a drink ancillary to a meal
- 2) I will agree to change the following conditions:

from:

"The premises shall only operate as a restaurant/café:

- (i) in which customers are shown to their table
- (ii) that provides food in the form of substantial table meals prepared on the premises and served and consumed at the table using non-disposable crockery
- (iii) that does not provide any takeaway service of drink for immediate consumption

Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a takeaway meal."

to:

"The premises shall only operate as a restaurant/café:

- (i) in which customers are shown to their table
- (ii) that provides food prepared on the premises and served and consumed at the table using non-disposable crockery
- (iii) that does not provide any takeaway service of drink for immediate consumption

Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to takeaway food"

- 3) I am satisfied the conditions we have proposed will support the promotion of the four licensing objectives therefore, will not be making any further amendments to the proposed.

If you are in agreement with the above, we would support the grant of the licence on the proposed conditions in our rep and the amendments above.

Regards,

Matt Stewart

Neighbourhood Officer (City Wide)
Union Representative for Unite the Union

Direct: 0161 245 7736 (ex 37736) | **Mobile:** 07976 904089

Email: m.stewart@manchester.gov.uk | **Web:** manchester.gov.uk

Please note: in the event of legal proceedings, this correspondence and any replies could be disclosed to the Court.

On Wed, 2 Sep 2020 at 15:59, anthony BAKER <[REDACTED]> wrote:

Sent from [Mail](#) for Windows 10

From: [anthony BAKER](#)
Sent: 02 September 2020 09:14
To: mathew.stewart@manchester.gov.uk
Cc: [Premises Licensing](#)
Subject: Premises licence

Hi Mathew

I would like to confirm I agree to the conditions from yourselves

But would like if you could clarify the following point

- 1 . I would like to be able to serve a further drink to a customer who has finishing eating a meal
- 2 . I would like to be able to serve a cold beer to a customer who has come in for a cold sandwich
- 3 . I would like to be able to serve a beer to a small group where the customer s are not all buying food

My intentions for the café are to offer a beverage in a warm welcoming family café

Can you please look at this points and advise according

Thank you

Anthony baker

Tony's café

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

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

ABOUT THE PREMISES
Application Ref No. (if known):
Name of the Premises about which you would like to make a representation:
Tony's Café 2
Address of the Premises (including postcode if known):
39 Button Lane, Manchester, M23 0LZ

YOUR REPRESENTATION
Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)
<p>It is a mandatory licensing condition for all licensed premises to have an age verification policy in place. The applicant states a Challenge 25 age verification policy will be implemented. However, the application is short on detail on how this will be achieved and monitored. Therefore, to promote the licensing objective of the protection of children from harm we would like the following conditions to be attached to the licence, should it be granted.</p> <ol style="list-style-type: none"> 1. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 will be asked to provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a valid passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram.

2. A refusals log shall be maintained in which members of staff shall record any instances of a refusal to sell alcohol. This can be in computer or paper format. The name of the person refusing the sale, their signature and the date, time and reason for the refusal shall be recorded. Managers shall regularly inspect the log and record they have inspected it so that the implementation of the policy by staff can be monitored.
3. The refusals log shall be made available for inspection on request by an officer of Greater Manchester Police or an authorised officer of Manchester City Council.
4. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy purchases, to maintain a refusals log and monitor staff to ensure their training is put into practice.
5. Documented records of training completed shall be kept for each member of staff. Staff shall be trained in how to prevent underage sales before being permitted to sell alcohol. Training shall be regularly refreshed for each member of staff and at no greater than 6 monthly intervals.
6. The premises shall display prominent signage indicating in all areas where alcohol is located that it is an offence to buy or attempt 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.

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

From: **anthony BAKER** <[REDACTED]>
Date: Wed, 12 Aug 2020 at 11:14
Subject: Re: Premises Licence (new) application 248598/PW5: Tony's Cafe 2, 39 Button Lane, Manchester, M23 0LZ, (Brooklands ward)
To: Premises Licensing <premises.licensing@manchester.gov.uk>

Hi Patrick
I have read and agree with the amendment from Helene

Anthony baker
Tony's café

From: **anthony BAKER** <[REDACTED]>
Date: Wed, 12 Aug 2020 at 11:11
Subject: Re: premises licence
To: Helene Corlett <helene.corlett@manchester.gov.uk>, Premises Licensing <premises.licensing@manchester.gov.uk>

Hi Helene
I have read the new wording paragraph 4 and I fully agree with it

Anthony baker
Tony's café

From: **Helene Corlett** <helene.corlett@manchester.gov.uk>
Date: Wed, 12 Aug 2020 at 09:33
Subject: Re: premises licence
To: Premises Licensing <premises.licensing@manchester.gov.uk>
Cc: anthony BAKER <[REDACTED]>

Hello Tony
As we've agreed an alteration to my original reps regarding digital till prompts, I've amended my previous representations and attached them to this email for you to review (please see para 4). I'd be grateful if you could let me and licensing know whether or not you agree with the amended representations.
Kind regards
Helene

From: **Councillor Glynn Evans** <cllr.g.evans@manchester.gov.uk>
Date: Thu, 3 Sep 2020 at 15:39
Subject: Re: Enquiry
To: Fraser Swift <[REDACTED]>

Hi Fraser my objection this is a cafe on a small parade of shops in the past we had issues with youths congregating our side the shops underage drinking drug taking intimidating customers.

The previous tenants at the cafe closed because of the nuisance element .

The supermarket next door sells alcohol so there is no need to sell alcohol .

Residents who live opposite are concerned about loud live music which will attract youths back again .

I am unsure how the owner will be able to control the out side on a public place .

From: [REDACTED] <[REDACTED]>
Date: Thu, 20 Aug 2020 at 12:10
Subject: Button lane cafe license
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>
[k](#)>

I've been made aware about that the cafe shop on button lane has applied to get a liquor license

I want to object and disapprove for this to go ahead.

I am a tenant and live in one off the property's above these shops I have two young kids as do many other tenants have kids & one has just had a new born baby. We will definitely not benefit from this planning going a head we get enough trouble, fights, police calls, stabbings etc around here the last thing we need is a bar opening.

The last thing I want is to be kept up with all the noise and for my kids to be waken up by it all

I'm not a huge sleeper as it it we don't need this.

My kids soon to be starting school again they need plenty off rest & myself work 5 days a week & have been working all through this pandemic, I'm sure I won't be the only one / tenant here to disapprove off this going ahead.

For one none off us tenants or shop owners have an a letter in advance to be made aware off this which I think is disgraceful, just a lousy poster had been put on the cafe shutters & doors.

I hope you can take all off this into consideration and make a sensible decision.

Sent from my iPhone

From: [REDACTED] <[REDACTED]>
Date: Tue, 11 Aug 2020 at 20:01
Subject: Tony's Cafe Button Lane
To: <cllr.g.evans@manchester.gov.uk>, <cllr.s.cooley@manchester.gov.uk>
Cc: Julie Roscoe <[REDACTED]>, <cllr.b.curley@manchester.gov.uk>

Good Evening

I am writing to raise my concerns over the application for an alcohol and music licence for Tony's Cafe, Button Lane, Northern Moor. We have had trouble with groups meeting around the shops in the past and would hate for there to be a reoccurrence of this. Tony's was open late on occasion before lockdown. On one particular night a group was causing a nuisance and my husband had to go out and ask them to move on.

We can not have that week in week out.

Please let me know if you require any further information from me.

Regards

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED] <[REDACTED]>
Date: Fri, 4 Sep 2020 at 08:01
Subject:
To: Fraser Swift <[REDACTED]>

I am registering my concern regarding the application for a music and alcohol licence at the cafe on Button Lane Northern Moor Wytheshawe. Manchester. This is a shop premises..and is totally unsuitable to be used as a bar and to have music. It is a residential area...I and my neighbours think alcohol and music will promote unsocial behaviour. We used to have a take away next door to the aforementioned cafe premises..it is now closed...when operating we had so many undesirables congregating. ..and trouble ensued. I understand the need to "drum up business " in these difficult times. ..I have no objection to the cafe...but alcohol and loud music is not for this area. The shop next door sells alcohol....please do your best to reject this application. Many thanks. [REDACTED]
[REDACTED]

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

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. All staff shall be fully trained in all 4 objectives. 2. The DPS shall be onsite as much as possible. When the DPS is not onsite there shall be a responsible person acting on his/her behalf. 3. There shall be CCTV in place working and recording during all hours the premises are open to the public. 4. Challenge 25 posters will be displayed. 5. There shall be Id checks to control underage drinking. 6. The premises shall have sufficient staff working at busy times and all staff shall be trained to manage busy times and handle difficult situations. 7. A selection of low and non-alcoholic drinks shall be available. 8. Employer and public liability insurance shall be in place. 9. Fire extinguishers shall be in place. 10. There will be good signage for the emergency exit. 11. All parts of the premises shall be in good repair and maintained as and when required. 12. There shall be a working fire alarm /risk/ hazard assessment in place. 13. There shall be good clear signage asking people to leave the premises quietly and to not accumulate on the parade. 14. Staff will supply/phone a taxi for people wanting to leave and ask them to wait inside 15. Taxi drivers will be asked not to bleep the horn to let people know they are outside. 16. Customers will be encouraged to use a taxi app if and when possible. 17. Children shall only be allowed to enter the café when accompanied by a responsible adult. 18. Children are not allowed into the café after 7pm even if accompanied by a responsible adult. 19. Challenge 25 shall be in place at the premises and all persons who appear under 25 shall be asked for ID when attempting to buy alcohol. 	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 1. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 will be asked to provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a valid passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram. 2. A refusals log shall be maintained in which members of staff shall record any instances of a refusal to sell alcohol. This can be in computer or paper format. The name of the person refusing the sale, their signature and the date, time and reason for the refusal shall be recorded. Managers shall regularly inspect the log 	Yes (all)	Trading Standards

Schedule of Licence Conditions

<p>and record they have inspected it so that the implementation of the policy by staff can be monitored.</p> <p>3. The refusals log shall be made available for inspection on request by an officer of Greater Manchester Police or an authorised officer of Manchester City Council.</p> <p>4. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy purchases, to maintain a refusals log and monitor staff to ensure their training is put into practice.</p> <p>5. Documented records of training completed shall be kept for each member of staff. Staff shall be trained in how to prevent underage sales before being permitted to sell alcohol. Training shall be regularly refreshed for each member of staff and at no greater than 6 monthly intervals.</p> <p>6. The premises shall display prominent signage indicating in all areas where alcohol is located that it is an offence to buy or attempt 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.</p>		
<p>7. Alcohol for consumption on and/or off the premises will only be sold ancillary to the purchase of food.</p> <p>8. The outside area shall not be used after 2100hrs each day and the outdoor furniture will be secured or removed so as it cannot be used.</p> <p>9. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.</p> <p>10. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of identification to enable to verify their identity against the notice.</p> <p>11. The premises shall display prominent signage indicating at any point of sale, the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.</p> <p>12. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals.</p> <p>13. There shall be no external speakers in operation at the premises.</p>	Yes (all)	GMP
<p>14. The premises shall only operate as a restaurant/café:</p>	Yes (With	Licensing

Schedule of Licence Conditions

<ul style="list-style-type: none"> a. in which customers are shown to their table b. that provides food in the form of substantial table meals prepared on the premises and served and consumed at the table using non-disposable crockery c. that does not provide any takeaway service of drink for immediate consumption <p>15. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a takeaway meal.</p> <p>16. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.</p> <p>17. All staff shall be briefed and be aware of their responsibilities and relevant company operating procedures before they commence paid duty at the premises.</p> <p>18. Any person who appears to be intoxicated or who is behaving in a disorderly manner shall not be allowed entry to the premises.</p> <p>19. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:</p> <ul style="list-style-type: none"> a. all crimes reported to the venue, or by the venue to the police b. all ejections of patrons c. any complaints received d. any incidents of disorder e. seizures of drugs, offensive weapons, fraudulent ID or other items f. any faults in the CCTV system, searching equipment or scanning equipment g. any refusal of the sale of alcohol h. any faults in the CCTV system, searching equipment or scanning equipment i. any visit by a relevant authority or emergency service j. the times on duty, names and the licence numbers of all licensed door supervisors employed by the premises. <p>20. All staff shall be trained in</p> <ul style="list-style-type: none"> a. relevant age restrictions in respect of products, b. recognising signs of drunkenness, c. how to refuse service, d. the premises' duty of care, e. company policies and reporting procedures, f. action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services, g. the conditions in force under this licence. <p>21. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 12 monthly intervals.</p> <p>22. The premises shall install and maintain a comprehensive digital [colour] CCTV</p>	<p>wording for condition 14 amended to that shown in agreement)</p>	<p>Out of Hours</p>
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Schedule of Licence Conditions

<p>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. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce/download/ burn CCTV images upon request by a police officer or an authorised officer of the licensing authority.</p> <p>23. All firefighting equipment is inspected and serviced in line with the appropriate British Standard.</p> <p>24. The premises licence holder shall ensure that at all times when the public is present there is at least one competent person able to administer first aid, that an adequate and appropriate supply of first aid equipment and materials is available on the premises, and that adequate records are maintained in relation to the supply of any first aid treatment.</p> <p>25. All staff on duty at the premises shall be trained in the Fire Safety and Evacuation procedures for the premises and aware of their individual responsibilities.</p> <p>26. The designated premises supervisor shall ensure that tables are cleared of all bottles and glasses on a regular basis during trading hours to avoid an accumulation of glassware.</p> <p>27. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.</p> <p>28. Speakers shall not be located/operated in the entrance lobby or outside the premises.</p> <p>29. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.</p> <p>30. There shall be a documented smoking policy, as agreed with the Manchester City Council Environmental Health section, implemented at the premises and a copy lodged with the Council's Licensing Unit.</p> <p>31. Notices shall be prominently displayed at any area used for smoking, requesting patrons to respect the needs of local residents and use the area quietly.</p> <p>32. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.</p> <p>33. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 21:00 and 08:00 hours.</p> <p>34. There shall be a documented dispersal policy, as agreed with the relevant responsible authorities, implemented at the premises and a copy lodged with the Council's Licensing Unit.</p> <p>35. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.</p>		
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of the Local Government Act 1972.

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 21 September 2020

Subject: The Dough House, 93-95 Beech Road, Manchester, M21 9EQ - App ref: Premises Licence (new) 248604

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendations

That the Panel determine the application.

Wards Affected: Chorlton

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Name: Grace Ollier
Position: Technical Licensing Officer
Telephone: 0161 234 4375
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 06/08/2020, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of The Dough House, 93-95 Beech Road, Manchester, M21 9EQ in the Chorlton 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 Duane Leigh Bryan.
- 2.3 The description of the premises given by the applicant is "*The Dough House is located in a popular area of Chorlton with other similar businesses along beech road. The Dough House offers a selection of food and drinks to its customers to eat and drink on site and for deliveries, there is a small restaurant and bar area inside with seating outside for approximately 16.*"
- 2.4 The proposed designated premises supervisor is Duane Leigh Bryan
- 2.5 **The licensable activities applied for:**
The supply of alcohol for consumption both on and off the premises:
Mon to Sun 9am to midnight
- Opening hours:
Mon to Sun 9am to 12.30am
- 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:

- MCC Licensing and Out of Hours Compliance Team;

Other Persons:

- Residents (x2)

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	LOOHT have concerns relating to the noise emanating from the premises. Given the relatively close proximity of numerous residential properties there is a considerable risk that noise nuisance may arise from the external area by way of people noise and also from the premises itself. The applicant has also confirmed their intention to provide a delivery service from the premises and there is a considerable risk that noise nuisance may arise from the conduct of delivery drivers especially when operating to the later hours.	Grant with conditions
Residents (x2)	Residents concerns include noise from deliveries, fans, customers leaving the premises, taxi pickups and waste removal,	Grant with conditions and reduced hours

	parking congestion, risk of drink driving and overall road safety, anti-social behaviour, drunk and disorderly behaviour.	(x1) Not Stated (x1)
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- 3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**
- 3.4 Agreements on conditions have been reached with Licensing and Out of Hours Compliance and 1 Resident.
- 4. Key Policies and Considerations**
- 4.1 Legal Considerations**
- 4.1.1 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.
- 4.2 New Information**
- 4.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.
- 4.3 Hearsay Evidence**
- 4.3.1 The Panel may accept hearsay evidence and it will be a matter for the Panel to attach what weight to it that they consider appropriate. Hearsay evidence is evidence of something that a witness neither saw nor heard, but has heard or read about.
- 4.4 The Secretary of State's Guidance to the Licensing Act 2003**
- 4.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided for all parties involved in licensing. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.
- 4.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.
- 4.4.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

4.5 **Manchester Statement of Licensing Policy**

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

- 4.5.4 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy:
Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

- Identified risk factors specific to the licensed premises

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

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

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

- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS5 Prevent on-street consumption of alcohol
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS8 Prevent noise nuisance from the premises
- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

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

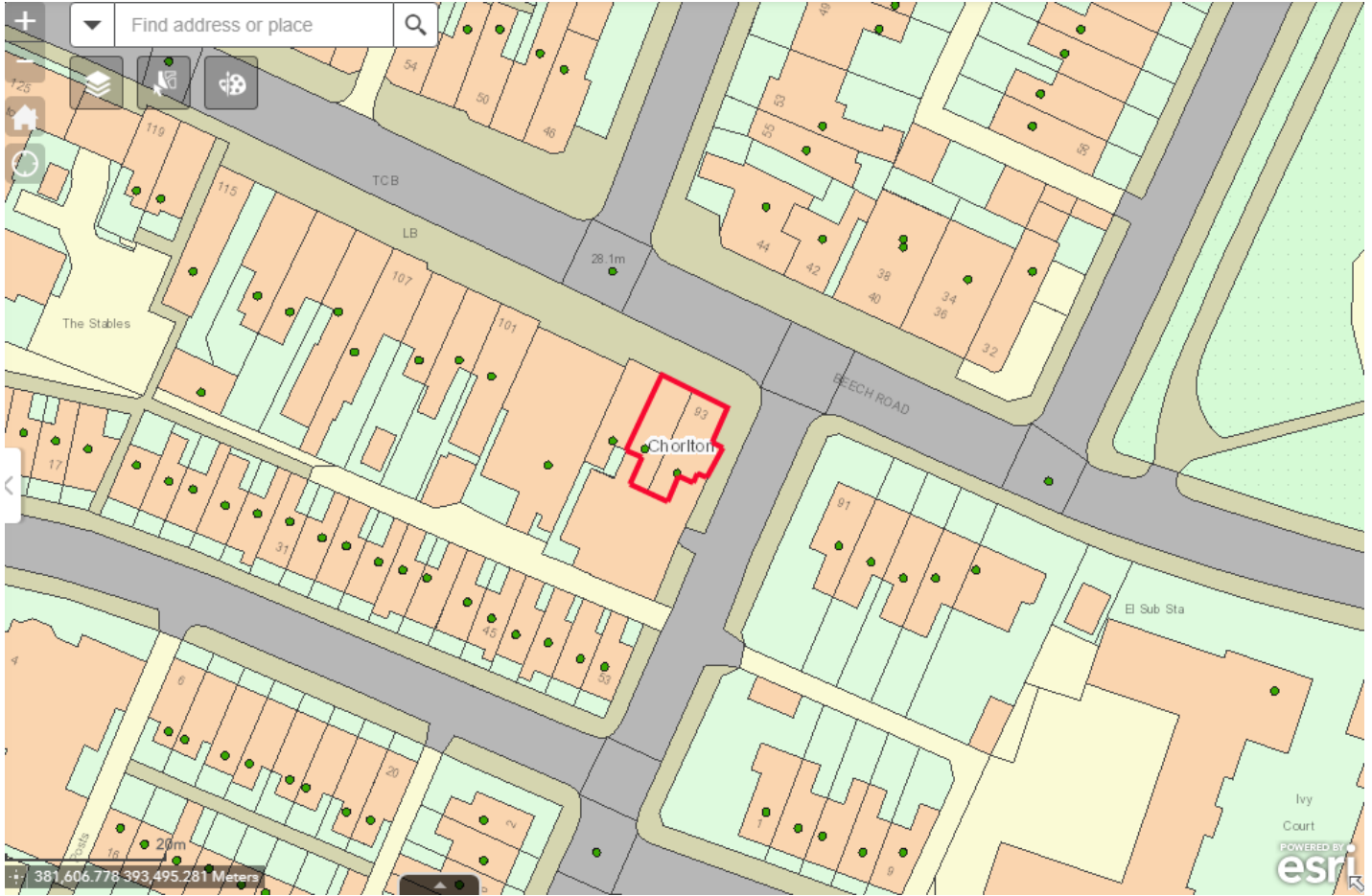
Section 11: The use of tables and chairs on the public highway

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.

5. Conclusion

- 5.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.

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



The Dough House
93-95 Beech Road, Manchester, M21 9EQ

Premises Licensing
Manchester City Council

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Survey100019568.



PREMISE NAME: The Dough House

PREMISE ADDRESS: 93-95 Beech Road, Manchester, M21 9EQ

WARD: Chorlton

HEARING DATE: 21/09/2020

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 DUANE LEIGH BRYAN

(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			
THE DOUGH HOUSE 93 – 95 BEECH ROAD CHORLTON – CUM – HARDY			
Post town	MANCHESTER	Postcode	M21 9EQ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 15250

Part 2 - Applicant details

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

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

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname BRYAN			First names DUANE LEIGH		
Date of birth		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes			
Nationality		[REDACTED]			
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]		Postcode	[REDACTED]	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY

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

DD	MM	YYYY

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

THE DOUGH HOUSE IS LOCATED IN A POPULAR AREA OF CHARLTON WITH OTHER SIMILIAR BUSINESSES ALONG BEECH ROAD. THE DOUGH HOUSE OFFERS A SELECTION OF FOOD AND DRINKS TO ITS CUSTOMERS TO EAT AND DRINK ON SITE AND FOR DELIVERIES, A SMALL RESTAURANT AND BAR AREA INSIDE WITH SEATING OUTSIDE FOR APPROXIMATELY 16.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	09:00	00:00			
Tue	09:00	00:00			
Wed	09:00	00:00			
Thur	09:00	00:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	09:00	00:00			
Sat	09:00	00:00			
Sun	09:00	00:00			

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

Name	DUANE LEIGH BRYAN
Date of birth	██████████
Address	██████████
Postcode	██████████
Personal licence number (if known)	PA074125
Issuing licensing authority (if known)	TRAFFORD COUNCIL

K

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

NONE

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>	<p><u>State any seasonal variations</u> (please read guidance note 5)</p>																								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Day</th> <th style="width: 20%;">Start</th> <th style="width: 20%;">Finish</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Mon</td> <td style="text-align: center;">09:00</td> <td style="text-align: center;">00:30</td> </tr> <tr> <td style="text-align: center;">Tue</td> <td style="text-align: center;">09:00</td> <td style="text-align: center;">00:30</td> </tr> <tr> <td style="text-align: center;">Wed</td> <td style="text-align: center;">09:00</td> <td style="text-align: center;">00:30</td> </tr> <tr> <td style="text-align: center;">Thur</td> <td style="text-align: center;">09:00</td> <td style="text-align: center;">00:30</td> </tr> <tr> <td style="text-align: center;">Fri</td> <td style="text-align: center;">09:00</td> <td style="text-align: center;">00:30</td> </tr> <tr> <td style="text-align: center;">Sat</td> <td style="text-align: center;">09:00</td> <td style="text-align: center;">00:30</td> </tr> <tr> <td style="text-align: center;">Sun</td> <td style="text-align: center;">09:00</td> <td style="text-align: center;">00:30</td> </tr> </tbody> </table>	Day	Start	Finish	Mon	09:00	00:30	Tue	09:00	00:30	Wed	09:00	00:30	Thur	09:00	00:30	Fri	09:00	00:30	Sat	09:00	00:30	Sun	09:00	00:30	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p>
Day	Start	Finish																							
Mon	09:00	00:30																							
Tue	09:00	00:30																							
Wed	09:00	00:30																							
Thur	09:00	00:30																							
Fri	09:00	00:30																							
Sat	09:00	00:30																							
Sun	09:00	00:30																							

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)

EFFECTIVE ONGOING TRAINING OF ALL MEMBERS OF STAFF TO UNDERSTAND AND PROMOTE THE LICENSING OBJECTIVES AND WORK WITH IN THE CONDITIONS SET BY THE PREMISES LICENCE. THE DESIGNATED PREMISES WILL CONDUCT STAFF TRAINING ON A SIX MONTHLY BASIS, RECORDS OF TRAINING WILL BE DOCUMENTED AND MADE AVAILABLE TO THE PLICE OR OTHER RESPONSIBLE AUTHORITIES.

b) The prevention of crime and disorder

CCTV WILL BE IN OPERATION IN ALL AREAS OF THE RESTAURANT INC ENTRANCES AND EXITS. THE CCTV SYSTEM WILL RECORD AT ALL TIMES THAT THE PREMISES ARE OPEN FOR LICENSABLE ACTIVITIES. RECORDINGS WILL BE STORED FOR A MINIMUM OF 31 DAYS AND IMAGES WILL BE PROVIDED TO THE POLICE UPON REQUEST WITH THE MINIMUM OF DELAY.
THERE WILL ALWAYS BE A MEMBER OF STAFF PRESENT WHILST THE PREMISES IS OPEN TO THE PUBLIC WHO IS CONVERSANT WITH THE CCTV SYSTEM AND ABLE TO DOWNLOAD IMAGES ON REQUEST FROM THE POLICE. SIGNAGE WILL BE DISPLAYED ADVERTISING THAT CCTV IS IN OPERATION
AN INCIDENT LOG WILL BE KEPT AT THE PREMISES AND WILL RECORD ANY INDICENTS OF CRIME OR DISORDER, THIS LOG WILL ALSO RECORD ANY REFUSALS OF SALE. THE LOG WILL BE AVAILABLE FOR INSPECTION ON REQUEST BY A POLICE OFFICER OR OTHER RESPONSIBLE AUTHORITY.

c) Public safety

EXTERNAL LIGHTING WILL BE ON DURING OPERATIONAL HOURS
CCTV WILL BE IN OPERATION IN ALL AREAS OF THE RESTAURANT INC ENTRANCES AND EXITS
THE OUTSIDE AREA WILL BE MONITORED EVERY 30 MINUTES FOR EMPTY PLATES AND GLASSES

d) The prevention of public nuisance

BOTTLE BINS WILL NOT BE EMPTIED BETWEEN 22:00 AND 10:00
CUSTOMERS WILL BE ASKED TO BE QUIET WHILE LEAVING THE PREMISES TO RESPECT THE NEIGHBOURS & SIGNS WILL BE DISPLAYED TO THIS EFFECT

e) The protection of children from harm

A CHALLENGE 25 PROOF OF AGE SCHEME WILL BE IN OPERATION AT THE PREMISES WHERE THE ONLY FORMS OF ACCEPTABLE ID WILL BE A PASSPORT, PHOTO DRIVING LICENCE OR PROOF OF AGE CARD WITH THE HOLOGRAPHIC LOGO.
THERE WILL BE A "No ID, No Sale" POLICY AT ALL TIMES FOR PEOPLE WHO LOOK UNDER 25.
ALL STAFF WILL RECEIVE TRAINING ON THIS POLICY AND TRAINING RECORDS WILL BE KEPT FOR INPSECTION IF REQUESTED BY THE POLICE OR OTHER RESPONSIBLE AUTHORITIES
THE CHALLENGE 25 SCHEME WILL ACTIVELY PROMOTE THE PROOF OF AGE STANDARDS SCHEME (PASS) AND ALL CHALLENGE POSTERS WILL BEAR IT'S LOGO
ANY PERSONS UNDER THE AGE OF 18 MUST LEAVE THE PREMISES BY 21:00

Checklist:**Please tick to indicate agreement**

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

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

	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	██████████
Date	04/08/2020
Capacity	AGENT

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

Signature	
Date	
Capacity	

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

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

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Licensing & Out of Hours Compliance Team

From: **Mitchell Ward** <mitchell.ward@manchester.gov.uk>
Date: Wed, 2 Sep 2020 at 22:37
Subject: Fwd: The Dough House, 93 - 95 Beech Road, Chorlton, Manchester, M21 9EQ
To: Premises Licensing <premises.licensing@manchester.gov.uk>

Good Evening

Please see attached representation in relation to the above matter.

I have considered the application and am of the opinion that additional conditions are required for the grant of this licence to promote the licensing objectives. The conditions are set out and agreed with the applicant as set out in the email chain below.

Thanks

Mitchell

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

From: [REDACTED]
Date: Mon, 31 Aug 2020 at 09:54
Subject: RE: The Dough House, 93 - 95 Beech Road, Chorlton, Manchester, M21 9EQ
To: Mitchell Ward <mitchell.ward@manchester.gov.uk>

Good Morning Mitchell,

We happily agree to all proposed conditions below.

Thanks for contacting us.

Regards,

[REDACTED]
[REDACTED]

From: Mitchell Ward <mitchell.ward@manchester.gov.uk>
Sent: 26 August 2020 14:07
To: [REDACTED]
Subject: The Dough House, 93 - 95 Beech Road, Chorlton, Manchester, M21 9EQ

Good Afternoon

As discussed earlier today I am reviewing the application on behalf of the Licensing & Out Of Hours Compliance Team.

I am considering the below additional conditions and would welcome your thoughts:

- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
- Staff shall monitor customers in the external area on a regular basis and ensure patrons do not cause a public nuisance.
- Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address. This includes the avoidance of slamming doors, playing loud music, shouting, overrevving engines and sounding horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the delivery address and will park considerately without causing any obstruction to the highway.

I look forward to hearing from you.

Thanks

Mitchell

Mitchell Ward
Licensing & Out of Hours Compliance Officer
Licensing and Out of Hours Team (Citywide)
The Neighbourhoods Directorate
Growth and Neighbourhoods



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details

Application Ref No	248604
Name of Premises	The Dough House
Address	93-95 Beech Road, Manchester, M21 9EQ

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 (LOOHT) have assessed the likely impact of the restaurant/bar opening at 93-95 Beech Road, Manchester, M21 9EQ taking into account a number of factors. This includes the location of nearby residential properties, the hours applied for and any potential risk that the granting of this licence, could lead to issues of Public Nuisance.

The application is to allow a restaurant/bar to sell alcohol between the hours of 09:00 – 00:00 and open to the public between the hours of 09:00 – 00:30. LOOHT have given particular consideration to Manchester City Council's Statement of Licensing Policy, specifically s.7.25 in that the licensing authority will ensure that due consideration will be given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises; as well as s.7.28 in that the licensing authority will give consideration to the appropriateness of hours applied for, having regard for the location of premises and their likely effect of the promotion of the four Licensing Objectives.

The premises is situated on Beech Road and is part of a busy area within the Chorlton ward. This is a popular area of Chorlton with a good mix of cafes, shops, takeaways, licensed premises and residential properties.

There are also a number of mixed residential properties in close distance to the rear on Crossland Road with Neale Road running adjacent to the premises. Opposite the premises is Chequers Road and also Wilton Road which again contain a number of residential properties.

LOOHT have concerns relating to the noise emanating from the premises. Given the relatively close proximity of numerous residential properties there is a considerable risk that noise nuisance may arise from the external area by way of people noise and also from the premises itself. The applicant has also

confirmed their intention to provide a delivery service from the premises and there is a considerable risk that noise nuisance may arise from the conduct of delivery drivers especially when operating to the later hours.

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

- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
- Staff shall monitor customers in the external area on a regular basis and ensure patrons do not cause a public nuisance.
- Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address. This includes the avoidance of slamming doors, playing loud music, shouting, overrevving engines and sounding horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the delivery address and will park considerately without causing any obstruction to the highway.

Recommendation: Approve with Conditions (Outlined Above)

Resident 1

From: [REDACTED]
Date: Fri, 28 Aug 2020 at 13:13
Subject: Re: Premises Licence Application (Dough House - Beech Road) 248604/GO2
To: Premises Licensing <premises.licensing@manchester.gov.uk>

Hello Grace,

I would welcome any assistance you can offer as I want to submit additional information to support my objection.

I have received emails from the applicant's agent attempting to mitigate some of my concerns but these are very general and these have led me to believe that the situation may be worse should a licence be granted. In particular all the promises that have been made relating to noise from the premises and delivery drivers having to be quiet, not idling engines, not playing music are unenforceable and impossible to report. To do so would require me to stand outside the premises at all hours waiting for an infringement. Complaining would have no effect either as I have previously pointed out that the owners

never reply to concerns regarding noise and have, in the past argued when I politely asked them early in the morning to keep their kitchen door closed, turn their music off and respect [REDACTED] right to quiet. As I understand it, they have still not replied to the concerns raised by [REDACTED] Environmental Protection at the council.

I would like to clarify a point in my original objection email:

"I strongly object to the hours of serving alcohol as this would impact on my right to peace and quiet..." It's really a point that I object to *any* extension of the hours of the premises full stop. At present the cafe which is now shut had hours imposed of between 8am to 6pm to safeguard the amenities of the occupiers of nearby residential accommodation. The licence application has been made in a residential area where there are already a large number of licenced premises such as Barrio, Leadstation, Bar San Juan, Chorlton Tap and the Laundrette.

Any further licences in the area will lead to more anti social behaviour, noise from people drinking and exiting the premises and nuisance for residents who already have to deal with a lot of alcohol deliveries to the area and alcohol-related waste disposal whether it is bottles being emptied into skips or beer kegs being removed.

I can see that only now an application has been made for planning but I believe that this application should at least fail on the grounds that the application was made with the knowledge of the hours of opening were more restrictive in the following: https://pa.manchester.gov.uk/online-applications/files/42DBFA127DE94D3A214709F8EFFD6A85/pdf/044240_FU_SOUTH2_93--233842.pdf

Thank you for your time and patience in this matter.

Kind regards
[REDACTED]

From: [REDACTED]
Date: Wed, 12 Aug 2020 at 18:49
Subject: Reference: 248604/GO2
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>

Hello,

I am writing regarding the application for the licence of "The Dough House" premises in Chorlton.

It has recently come to my attention that there is an application for a new restaurant and bar replacing JB Richardson 93-95 Beech Road, Chorlton-Cum-Hardy, Manchester, M21 9EQ. I can see no evidence of this in the form of notices posted in the area or on the Manchester City Council planning site.

Under that address (93-95 Beech Road, Chorlton-Cum-Hardy, Manchester, M21 9EQ) there is nothing.

I had to find out about this application on the Chorlton Facebook group. I would like to ask where this has been displayed without having to dig through the council website, any appropriate links and if not, why not? I do not believe that the consultation deadline of 03/09/2020 is sufficient. I would like to view all relevant documents regarding the application and would appreciate if you could make these available.

I have a number of concerns as to why this development must not proceed as I will be directly affected due to my house being in close proximity [REDACTED]
[REDACTED]

Public Nuisance: I have experienced a certain amount of noise from the local businesses which line Beech Road and share the alleyway between Crossland Road. There is a lot of traffic in the form of deliveries to the Lead Station and noise from extractor fans, not to mention noise from kitchen staff and patrons who leave the bar in the evening. I do not believe that there is any need for yet another bar to line Beech Road, especially not in such close proximity to the Lead Station, Barrio, The Laundrette and Bar San Juan to name just a few. Another bar would drastically add to the noise listed above and make living in the locality unbearable. With a kitchen serving diners, there would be an increase in the noise from extractor fans which are already loud in the area due to the Lead Station having a sizeable kitchen. What studies have been taken on the noise from the extractors they wish to use and impact will this have? Often there is noise from beer deliveries and bottle emptying throughout the day. Another business emptying bottles into skips would be damaging to residents health due to the constant shock of noise which I believe is a risk to public safety.

Deliveries are always done by the back alleyway [REDACTED] which means that there will be increased noise throughout the day. There is also a concern of waste disposal. The premises has a very small area used for waste which would not be able to store more than 2 commercial bins. There is no mention of how the waste would be disposed of and during which times. An increase in waste disposal will result in more noise in the area due to the bins being moved over cobbled stones which vibrates. In addition, where would the used beer kegs be stored? At present, the Lead Station uses the area outside but there is no more room to add any more. Disposal of the beer kegs is often noisy as they are stacked outside as is the noise from beer deliveries. Local businesses have in the past stored bins [REDACTED]
[REDACTED]

I strongly object to the hours of serving alcohol as this would impact on my right to peace and quiet. A business open until 00:30 would mean that I would experience disturbance from residents leaving the premises whereas the Lead Station closes at 11pm throughout the week and midnight at weekends. The application attempts to mitigate this by saying that customers will be "asked to be quiet while leaving the premises to respect the neighbours and signs will be displayed to this effect" but this is something that is impossible and likely not able to be enforceable as the business will rely on signs displaying this. Drunk people do not possess the ability to be quiet as I

Good morning,

Thank you for your response to my concerns re the Premises Licence Application for the Dough House.

I appreciated the proposed changes and feel my concerns have been addressed.

I wish Duane Bryan every success with this business.

Regards.

Sent from my iPad

On 28 Aug 2020, at 12:15, [REDACTED] wrote:

Good afternoon [REDACTED]

My name is [REDACTED] I am the agent acting on behalf of Duane Bryan from the Dough House Bakery Beech Road, I am contacting you regarding your representation and want to assure you that Duane will do his absolute best to promote the licensing objectives and be a model member of the community.

Sorry for not contacting you sooner regarding your representation, I was waiting to speak to the out of hours team, after careful consultation with the out of hours team we would like to offer the below conditions in line with the representation made.

- A change of licensable hours to Sunday to Thursday no later than 23:00 and Friday and Saturday no later than 00:00
- No bins to be emptied outside after 9pm
- Staff to do at least one noise check per night to see if noise from The Dough House is causing a public nuisance (records will be kept of these checks)

And additional conditions after consulting with Mitchell Ward Licensing and Out Of Hours Compliance Manager

- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance
- Staff shall monitor customers in the external area on a regular basis and ensure patrons do not cause a public nuisance.

- Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address. This includes the avoidance of slamming doors, playing loud music, shouting, overrevving engines and sounding horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the delivery address and will park considerately without causing any obstruction to the highway.

If the above conditions are agreeable they will be added to the premises licence following a committee hearing.

Please let me know your thoughts, I look forward to your response.

Regards,

From: [REDACTED]
Date: Wed, 19 Aug 2020 at 13:50
Subject: Objection to licensing application.
To: <premises.licensing@manchester.gov.uk>

Address of premises: 93-95 Beech Road, Chorlton-cum-Hardy, Manchester M21 9EQ

My address: [REDACTED]

I wish to object to the licence application at the above premises.

My property backs on to Beech Road and I wish to object to this application on the following grounds:

1. Prevention of public nuisance- there are already a number of bars on Beech Road largely concentrated away from the residential areas. This bar is a significant move towards the residential houses and the noise from the premises likely to continue to 12.30am would cause considerable disruption to the local residents. There is also the concern about the noise of taxis and other traffic late at night as people leaving the premises. In addition the strain parking availability in an area where residents largely do not have any off road parking and additional traffic will make an already congested area worse.
2. Public safety- the bar is on the order of a busy junction located near a park that already has problems dealing with the volume of traffic passing through on weekends and other peak times. The addition of cars and deliveries stopping, even for very short periods outside this bar will tip this situation towards being dangerous rather than just an inconvenience.

I hope that you will give the above points due consideration in this application.

Kind regards

[REDACTED]
Sent from my iPad

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

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Effective ongoing training of all members of staff to understand and promote the licensing objectives and work within the conditions set by the premises licence. The designated premises will conduct staff training on a six monthly basis, records of training will be documented and made available to the police or other responsible authorities. 2. CCTV will be in operation in all areas of the restaurant including entrances and exits. The CCTV system will record at all times that the premises are open for licensable activities. Recordings will be stored for a minimum of 31 days and images will be provided to the police upon request with the minimum of delay. 3. There will always be a member of staff present whilst the premises is open to the public who is conversant with the CCTV system and able to download images on request from the police. Signage will be displayed advertising that CCTV is in operation. 4. An incident log will be kept at the premises and will record any incidents of crime or disorder, this log will also record any refusals of sale. The log will be available for inspection on request by a police officer or other responsible authority. 5. External lighting will be on during operational hours. 6. The outside area will be monitored every 30 minutes for empty plates and glasses. 7. Bottle bins will not be emptied between 22:00 and 10:00. 8. Customers will be asked to be quiet while leaving the premises to respect the neighbours and signs will be displayed to this effect. 9. A challenge 25 proof of age scheme will be in operation at the premises where the only forms of acceptable ID will be a passport, photo driving licence or proof of age card with the holographic logo. 10. There will be a "no ID, no sale" policy at all times for people who look under 25. All staff will receive training on this policy and training records will be kept for inspection if requested by the police or other responsible authorities. 11. The challenge 25 scheme will actively promote the proof of age standards scheme (pass) and all challenge posters will bear its logo. 12. Any persons under the age of 18 must leave the premises by 21:00. 	N/A	Applicant

Schedule of Licence Conditions

Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance. 2. Staff shall monitor customers in the external area on a regular basis and ensure patrons do not cause a public nuisance. 3. Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address. This includes the avoidance of slamming doors, playing loud music, shouting, over revving engines and sounding horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the delivery address and will park considerately without causing any obstruction to the highway. 	Yes	Licensing and Out of Hours
<ol style="list-style-type: none"> 1. A change of licensable hours to Sunday to Thursday no later than 23:00 and Friday and Saturday no later than 00:00 2. No bins to be emptied outside after 9pm 3. Staff to do at least one noise check per night to see if noise from The Dough House is causing a public nuisance (records will be kept of these checks) 	Yes	Resident