



Licensing Sub Committee Hearing Panel

Date: Monday, 5 October 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 - Grimshaw (Chair), Hewitson and T Judge

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. Summary Review of Premises Licence - Queens Arms, 6 Honey Street, Manchester, M8 8RG

5 - 44

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

5. New Premises Licence - Cafe Blah, 418 Wilmslow Road, Manchester, M20 3BW

45 - 124

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

6. New Premises Licence - Premier One Stop, 366-368 Moston Lane, Manchester, M40 9JS

125 - 188

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

7. New Premises Licence - U Marlenki, 295 Palatine Road, Manchester, M22 4HH

189 - 192

The determination papers are enclosed.

8. Premises Licence Variation - Terrace, 43 Thomas Street, Manchester, M4 1NA

193 - 194

The determination papers are enclosed.

9. New Premises Licence - Arts and Humanities Building MMU, Cavendish Street, Manchester

195 - 196

The determination papers are enclosed.

- 10. New Premises Licence - MMU, Ormond Building, Lower Ormond Street, Hulme, Manchester, M15 6BX** 197 - 198
The determination papers are enclosed.
- 11. Premises Licence Variation - NQ64, 23 Peter Street, Manchester, M2 5QJ** 199 - 200
The determination papers are 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:

Ian Hinton-Smith
Tel: 0161 234 3043
Email: i.hintonsmith@manchester.gov.uk

This agenda was issued on **Friday, 25 September 2020** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 05 October 2020

Subject: Queens Arms, 6 Honey Street, Manchester, M8 8RG (Summary Review of Premises Licence, App ref: 249390)

Report of: Head of Planning, Building Control & Licensing

Summary

Review of the premises licence under s53C of the Licensing Act 2003

Recommendations

That the Panel consider what steps are appropriate for the promotion of the licensing objectives taking into account any change in circumstances since any interim steps were imposed, consider any relevant representations, and review the interim steps already taken.

Wards Affected: Cheetham

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

	suitable to the surrounding communities.
A connected city: world class infrastructure and connectivity to drive growth	

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Name: 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 2018
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

1. Introduction

- 1.1 On 07/09/2020, an application was made by Greater Manchester Police under s53A of the Licensing Act 2003 for a Summary Review of the Premises Licence for Queens Arms, 6 Honey Street, Manchester, M8 8RG in the Cheetham ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 Summary reviews can be undertaken when the police consider that the premises concerned are associated with serious crime or serious disorder (or both). The summary review process allows interim conditions to be quickly attached to a licence and a fast track licence review.
- 1.3 A 10 working-day public consultation exercise has been 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 and details of the application published on the Council's website.
- 1.4 Under section 53C of the Licensing Act 2003, the licensing authority must hold a full review of the premises licence and determine the review within 28 days after the day of receipt of the application.
- 1.5 Following the review under section 53C, the licensing authority must then review the interim steps in place and determine whether it is appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.

2. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The application for a summary review was submitted on the grounds that the premises are associated with serious crime.
- 2.3 The incident that triggered this summary review was that, in the early hours of Sunday 6th September 2020, a male suffered potentially life-threatening stab wounds to his torso and armpit requiring hospital treatment. Enquiries revealed that the incident had occurred at the Queens Arms and is being treated as attempted murder. No contact was made from the premises about the incident and the Premises Licence Holder and Designated Premises Supervisor, Ky Nguyen is allowing a friend to run the business.
- 2.4 Interim Steps pending the review
- 2.4.1 Within 48 hours of receiving a summary review application, under s53B of the Licensing Act 2003 the licensing authority must consider whether it is necessary to take interim steps pending the review of the licence for the promotion of the licensing objectives.

- 2.4.2 On 9th September 2020, a Licensing Sub-Committee Hearing Panel held a hearing to consider taking such interim steps and the decision of the Panel was to suspend the Premises Licence with immediate effect. The decision of the panel is included as **Appendix 3**.
- 2.4.3 The premises licence holder may make representations against the interim steps taken by the licensing authority. Under s53B of the Licensing Act 2003 the licensing authority must within 48 hours of the time of its receipt of the representations, hold a hearing to consider those representations.
- 2.4.4 At the time of preparing this Committee Report no representations have been received against the interim steps taken by the licensing authority. Please note that representations may be received at any time prior to the date of the review hearing.
- 2.4.5 On the date of the review hearing, the licensing authority is required to review any interim steps that are in place and consider whether it is appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.

3. Current Premises Licence

- 3.1 A copy of the current licence is attached at **Appendix 4**.
- 3.2 The premises licence holder is Ky Nguyen who has held the licence since 10th February 2015.
- 3.3 The designated premises supervisor is Ky Nguyen who has held this position since 10th February 2015.
- 3.4 The licensable activities permitted by the licence are:

The sale by retail of alcohol for consumption on the premises only -
Monday to Sunday 1200 to 2300 hours.

4. Relevant Representations

- 4.1 Representations may be made by any person or 'responsible authority' during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be relevant to one or more of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 4.2 No relevant representations have been received in respect of this application

5. Additional information

- 5.1 No additional information has been received from any party to the application.

6. Key Policies and Considerations

6.1 **Legal Considerations**

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

6.2 **New Information**

6.2.1 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.

6.3 **Hearsay Evidence**

6.3.1 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.

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

6.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. 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.

6.4.2 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.

6.4.3 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.

6.5 **Manchester Statement of Licensing Policy**

6.5.1 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.

6.5.2 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.

- 6.5.3 There are a number of references in the Policy to the licensing authority's expectations of applicants. The licensing authority will not apply the Policy rigidly, but will always have regard to the merits of the case with a view to promoting the licensing objectives.
- 6.5.4 Relevant to this application, 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 and address any local factors relevant to their premises.

Having regard to this application, the Panel are recommended to have regard to the following Factors:

- Identified risk factors specific to the licensed premises
- Consistency with relevant Council strategies

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. The degree to which

standards would be appropriate is expected to be proportionate to the risk posed against the promotion of the licensing objectives having regard to the individual circumstances of the premises. The standards are not exhaustive and the licensing authority will have regard to any relevant issues raised in any representation that may fall outside them.

MS1 Implement effective security measures at the premises

MS2 Effective general management of the premises

MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies

7. **Conclusion**

- 7.1 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.
- 7.2 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. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 7.3 The Panel must consider what steps are appropriate for the promotion of the licensing objectives taking into account any change in circumstances since any interim steps were imposed, any relevant representations, and review the interim steps already taken (if any).
- 7.4 In making its final determination, the steps the Panel can take are:
- a) To modify the conditions of the premises licence
 - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
 - c) To remove the designated premises supervisor from the licence;
 - d) To suspend the licence for a period not exceeding 3 months; and
 - e) To revoke the premises licence.
- 7.5 The conditions of the licence, with the exception of mandatory conditions in Appendix 1 of the licence, 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.
- 7.6 All licensing determinations should be considered on the individual merits of the application.
- 7.7 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.

7.8 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.

7.9 **The Panel is asked to determine what steps, as set out in 7.4 above, are appropriate for the promotion of the licensing objectives.**

Review of the interim steps

7.10 The Panel's determination of the review does not have effect until the end of the 21 day period given for appealing the decision, or until the disposal of any appeal that is lodged.

7.11 To ensure that there are appropriate and proportionate safeguards in place at all times, the licensing authority is required to review any interim steps that it has taken that are in place on the date of the final review hearing. This is to be done immediately after the determination of the review under s53C. In reaching its decision, the panel must consider any relevant representations made.

7.12 The steps available to the Panel are:

- a) To modify the conditions of the licence;
- b) To exclude the sale of alcohol by retail from the scope of the licence;
- c) To remove the designated premises supervisor from the licence;
and
- d) To suspend the licence.

7.13 **Upon the determination of the licence review, the Panel is asked to review the interim steps in place and determine whether it is appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.**



Queens Arms
6 Honey Street, Manchester, M8 8RG

Premises Licensing
Manchester City Council

© Crown copyright and database rights 2018. Ordnance
Survey100019568.



PREMISE NAME: Queens Arms

PREMISE ADDRESS: 6 Honey Street, Manchester, M8 8RG

WARD: Cheetham

HEARING DATE: 05/10/2020

ANNEX B

Greater Manchester Police
Central Park
Northampton Road
Manchester

CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with serious crime / ~~serious disorder~~ / ~~both serious crime and serious disorder~~¹.

*Premises*²:

The Queens Arms
6 Honey Street
Manchester
M8 8RG

Premises licence number (if known): 167732

Name of premises supervisor (if known): Ky Nguyen

I am a Superintendent ³ in the Greater Manchester police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because⁴:

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns as to the serious nature of the incident which require immediate resolution. Greater Manchester Police believe that serious crime has occurred at the premises.

Greater Manchester Police (GMP) will say that the premises are associated with

¹ Delete as applicable.

² Include business name and address and any other relevant identifying details.

³ Insert rank of officer giving the certificate, which must be superintendent or above.

⁴ Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.

serious crime. Serious crime is defined within the statutory guidance as per section 81(3)(a) and (b) of the Regulation of Investigatory Powers Act 2000, which states that the conduct constitutes an offence for which a person 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more. Therefore due to the serious crime which has taken place at the premises GMP feel that it is necessary for an expedited review to take place.

The premises are situated on Honey Street in the Cheetham Hill area of Manchester and the premises licence was issued on 10/02/2015. The Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) is Ky Nguyen who has held these positions since the date the licence was issued.

At 0115 hours on Sunday 6th September 2020 Greater Manchester Police (GMP) were contacted by staff at North Manchester Hospital and informed us that a male had been dropped off at the hospital and had wounds on his body which appeared to consistent with him being stabbed.

Subsequent enquiries revealed that the male had been stabbed at the Queens Arms on Honey Street and that had suffered wounds to his torso and armpit and that the wounds are potentially life threatening.

Enquiries at the Queens Arms revealed blood both inside and outside the premises and that the named PLH and DPS Ky Nguyen is allowing a friend to run the premises.

No contact was made from the premises in relation to this serious incident and a Crime for Attempted Murder has been submitted. Enquireis to trace the offenders are continuing.

The powers under sections 53A to 53C of the 2003 Act, are aimed at tackling serious crime and serious disorder, in particular (but not exclusively) the use of guns and knives.

The powers contained under section 53A of the Licensing Act 2003 are necessary and proportionate in light of the association that the premises has to serious crime.

In the interim Greater Manchester Police would request that the Licensing Authority consider suspension of the Premises Licence until the full review is heard before the committee. Serious Crime has occurred at the premises and until the Licensing Committee hear the full review and all the evidence that will be disclosed, to allow the premises to continue to operate as a licensed premises gives concerns that further crime will occur. Greater Manchester Police will say that the licensing objectives of the prevention of crime and disorder can only be promoted if the premises licence was suspended until the final determination of the summary review application.

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns in relation to the lack of action taken by the premises.

.....
(Signed) [Redacted] (Date) 07/09/20.....

Supt R. BOYCE

ANNEX C

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

Manchester City Council

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

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 the 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.**

I Alan Isherwood [on behalf of] the chief officer of police for the Greater Manchester police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**The Queens Arms
6 Honey Street**

Post town: Manchester

Post code (if known): **M8 8RG**

2. Premises licence details:

Name of premises licence holder (if known): Ky Nguyen

Number of premises licence holder (if known): 167732

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with

serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

4. Details of association of the above premises with serious crime, serious disorder or both:

[Please read guidance note 2]

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns as to the serious nature of the incident which require immediate resolution. Greater Manchester Police believe that serious crime has occurred at the premises.

Greater Manchester Police (GMP) will say that the premises are associated with serious crime. Serious crime is defined within the statutory guidance as per section 81(3)(a) and (b) of the Regulation of Investigatory Powers Act 2000, which states that the conduct constitutes an offence for which a person 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more. Therefore due to the serious crime which has taken place at the premises GMP feel that it is necessary for an expedited review to take place.

The premises are situated on Honey Street in the Cheetham Hill area of Manchester and the premises licence was issued on 10/02/2015. The Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) is Ky Nguyen who has held these positions since the date the licence was issued.

At 0115 hours on Sunday 6th September 2020 Greater Manchester Police (GMP) were contacted by staff at North Manchester Hospital and informed us that a male had been dropped off at the hospital and had wounds on his body which appeared to consistent with him being stabbed.

Subsequent enquiries revealed that the male had been stabbed at the Queens Arms on Honey Street and that had suffered wounds to his torso and armpit and that the wounds are potentially life threatening.

Enquiries at the Queens Arms revealed blood both inside and outside the premises and that the named PLH and DPS Ky Nguyen is allowing a friend to run the premises.

No contact was made from the premises in relation to this serious incident and a Crime for Attempted Murder has been submitted. Enquireis to trace the offenders are continuing.

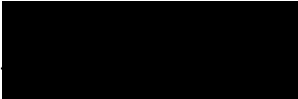
The powers under sections 53A to 53C of the 2003 Act, are aimed at tackling serious crime and serious disorder, in particular (but not exclusively) the use of guns and knives.

The powers contained under section 53A of the Licensing Act 2003 are necessary and proportionate in light of the association that the premises has to serious crime.

In the interim Greater Manchester Police would request that the Licensing Authority consider suspension of the Premises Licence until the full review is heard before the committee. Serious Crime has occurred at the premises and

until the Licensing Committee hear the full review and all the evidence that will be disclosed, to allow the premises to continue to operate as a licensed premises gives concerns that further crime will occur. Greater Manchester Police will say that the licensing objectives of the prevention of crime and disorder can only be promoted if the premises licence was suspended until the final determination of the summary review application.

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns in relation to the lack of action taken by the premises.

Signature of applicant: 

Date: 7/9/20

Capacity: Licensing Constable

Contact details for matters concerning this application:

Address:

Manchester Town Hall Extension

Lloyd Street

Manchester

M2 5DB

Telephone number(s): 0161 856 6017

Email: alan.isherwood@gmp.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of

violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.
Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

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

Document is Restricted

This page is intentionally left blank

Licensing Committee –09/09/2020

Premises: The Queens Arms 6 Honey Street, Manchester, M8 8RG

Summary Review – Application made under Section 53(A) of the Licensing Act 2003

The Committee considered the representations made by GMP and the Premises Licence Holder (PLH) and have taken into account both the written and oral representations.

Decision: Interim steps taken to suspend the licence with immediate effect

The Committee are satisfied that GMP has provided evidence that the premises had been associated with serious crime. The evidence presented by GMP regarding the incident is deeply concerning to the Committee.

What is very clear from the evidence is the premises failed to take any action following the incident. This is wholly unacceptable and the Committee would expect a PLH/DPS or a member of staff to contact the police regarding such a serious matter.

The Committee are concerned that if the premises licence is not suspended further crime will occur.

Further, the PLH confirmed to the Committee he has not been involved with the premises since 1st February 2019 and has no involvement with it to date. He stated in evidence that he does not object to the Licence being suspended.

The Committee felt that it 'necessary' to take interim steps pending the final review under section 53 (B) LA 2003 for the reasons set out above.

Please note: this decision will take effect immediately.

For the purpose of Section 53B(5)(b) of the Licensing Act 2003 immediate notice of this decision was given orally to GMP and the PLH.

The PLH was advised of their right to make representations against the interim steps and it was confirmed that the matter will be listed for full review.

Full review to take place on the 5th October 2020

This page is intentionally left blank



MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	167732
Granted	10/02/2015

Part 1 - Premises details

Name and address of premises		
Queens Arms 6 Honey Street		
Post town	Post code	Telephone number
Manchester	M8 8RG	

Licensable activities authorised by the licence
<p>1. The sale by retail of alcohol*.</p> <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	1200	1200	1200	1200	1200	1200	1200
Finish	2300	2300	2300	2300	2300	2300	2300
The sale of alcohol is licensed for consumption on the premises only.							
Seasonal variations and Non standard Timings:							
None							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1200	1200	1200	1200	1200	1200	1200
Finish	2300	2300	2300	2300	2300	2300	2300
Seasonal variations and Non standard Timings:							
None							

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence
Mr Ky Nguyen [REDACTED] [REDACTED] [REDACTED]

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcoholMr Ky Nguyen, [REDACTED]
[REDACTED]**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Personal Licence number: PA1507

Issuing Authority: Rochdale Metropolitan Borough Council

Annex 1 – Mandatory conditions**Door Supervisors**

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

Supply of alcohol

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

$$P = D + (D \times V)$$
 where –
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were

charged on the date of the sale or supply of the alcohol, and

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

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

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

Annex 2 – Conditions consistent with the operating schedule

1. Any person who tries to gain entry to the premises and appears to be intoxicated or who is involved in disorderly conduct outside the premises shall not be permitted entry to the premises. The premises licence holder shall ensure that any person within the premises who appears to be intoxicated or who is involved in disorderly conduct in the premises is removed from the premises.
2. An evacuation procedure which includes emergency exit from the premises shall be implemented at the premises and all staff shall be fully briefed in the procedure.
3. The licence holder or DPS shall maintain an incident log book, the log book shall include specific detail regarding any incidents, for example, time, date, people involved and witnesses.
4. Staff shall be provided with comprehensive, ongoing training to make the aware of all legislation relevant to their employment.
5. A safety plan shall be implemented that shall include fire safety and maintenance inspections.
6. Regular written risk assessments shall be carried out in respect of all activities that take place at the premises and the licence holder and staff shall keep an accurate record of any accidents that occur on the premises in a designated log book including.
7. A recognised proof of age policy, for example the Proof of Age Standards Scheme shall be implemented, maintained and enforced at the premises. This shall include a age refusals log.

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

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment shall be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.
2. No person under the age of 18 shall be allowed on the premises after 21.00.

3. All staff working at the premises shall attend a formal training course such as the National Certificate for Designated Premises Supervisors or the BIIAB Award in Responsible Retailing within the first 6 months of the licence being granted and provide evidence of attendance to the Licensing Authority.
4. No noise shall emanate from the premises which gives rise to a nuisance.
5. Speakers shall not be located outside the premises.
6. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
7. Outside tables and chairs (in the beer garden) shall be rendered unusable by 23:00 hours each day.
8. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
9. No bottles, glasses or similar items may be disposed of in outside receptacles nor deliveries or collections received between 23:00 and 07:30 hours.

Annex 4 – Plans

See attached

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 05 October 2020

Subject: Cafe Blah, 418 Wilmslow Road, Manchester, M20 3BW - App ref: Premises Licence (new) 248087

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: Old Moat

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

infrastructure and connectivity to drive growth	
---	--

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

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

Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 10/08/2020, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Cafe Blah, 418 Wilmslow Road, Manchester, M20 3BW in the Old Moat 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 Adam Porrino and Tess Parkinson.
- 2.3 The description of the premises given by the applicant is 'a ground floor art gallery/café/bar situated in a corner property over three rooms with two entrances. The main entrance leads to a front room with a counter; this then leads through to a small middle seating room and then the larger back room primarily for tables and chairs. The back room will host movie nights. A selection of hot/cold drinks and vegetarian food, most of which will be sourced locally, will be served.'
- 2.4 The proposed designated premises supervisor is Adam Porrino.
- 2.5 **The licensable activities applied for:**
Provision of regulated entertainment (recorded music):
Sun, Tues and Weds 11am to 8pm, Thurs 11am to 11pm, Fri to Sat 11am to 11.30pm

Provision of regulated entertainment (films):
Thurs 7.30pm to 11pm

Provision of late night refreshment:
Fri to Sat 11pm to 11.30pm

The supply of alcohol for consumption on the premises only:
 Sun, Tues and Weds 11am to 8pm, Thurs 11am to 11pm, Fri to Sat 11am to 11.30pm

Opening hours:
 Sun, Tues and Weds 11am to 8pm, Thurs 11am to 11pm, Fri to Sat 11am to 11.30pm

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

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

2.6 Activities unsuitable for children

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

2.7 Steps to promote the licensing objectives

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

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

3. Relevant Representations

3.1 A total of 5 relevant representations were received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

Responsible Authorities:

- Greater Manchester Police;
- MCC Trading Standards

Other Persons:

- Old Moat Councillors;
- Withington Village Regeneration Partnership;
- Resident x1

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
-------	---------------------------	------------

GMP	GMP have concerns that granting this application would undermine the licensing objectives of the Prevention of Crime and Disorder, the Prevention of Public Nuisance and Public Safety, and would also not be in keeping with the approach set out in the Withington Stress Area special policy.	Refuse
Trading Standards	The application does not sufficiently demonstrate how the premises would prevent underage sales of alcohol and thereby undermines the licensing objective of the protection of children from harm.	Grant with conditions
Old Moat Councillors	Concerns regarding noise and public nuisance	Grant with conditions
Withington Village Regeneration Partnership	Representation in support of the application.	Grant
Resident	Noise from customers and increased traffic would negatively impact local residents, exacerbating existing noise issues and thereby leading to a public nuisance.	Refuse

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

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 New Information

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

4.3 Hearsay Evidence

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

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

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

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

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

4.5 Manchester Statement of Licensing Policy

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

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

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

4.5.4 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy:

Section 5: Special Policy Area

The premises is located within the following special policy area:

Withington Stress Area

The effect of the Special Policy is to set out a range of specific approaches according to the nature of the premises to be licensed. With respect to this application, the Policy proposes the following approach:

	Closing time	Approach
--	---------------------	-----------------

	Closing time	Approach
Alcohol-led venues (on-licence)	Up to 11.30pm	<p>Judged according to set criteria.</p> <p>Positive proposals for the promotion of the licensing objectives, including from departing customers, must also be demonstrated in the operating schedule.</p> <p>A stricter approach is likely to be taken where customers are not seated at tables and/or where a substantial food offer is not available at all times the premises are open</p>

The policy also sets out particular measures it expects operators to pay special attention to in order to ensure their operation will not add to the problems within this area. Operators are not required to do so, but where the authority's discretion is engaged, any applications that fail to address all appropriate measures may be refused or have conditions applied to comply with the policy measures.

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

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

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

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

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

- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- 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

Conclusion

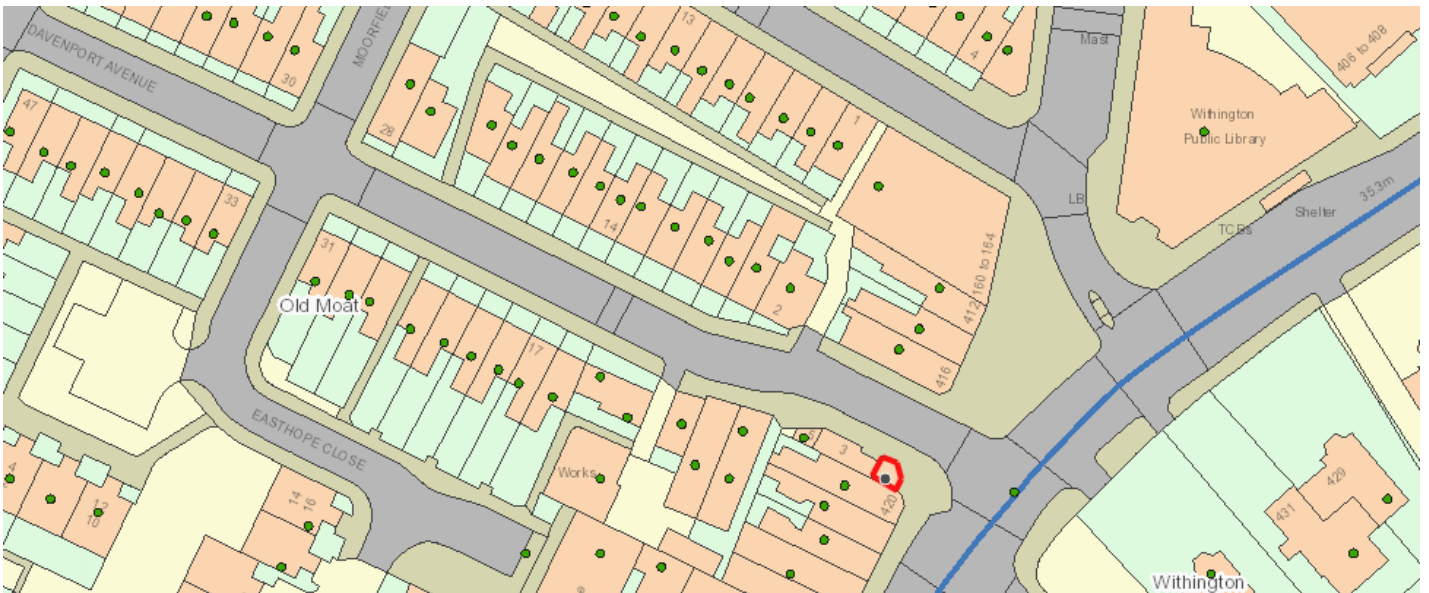
4.6 A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives:

- 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.**

This page is intentionally left blank



Cafe Blah
 418 Wilmslow Road, Manchester, M20 3BW

Premises Licensing
 Manchester City Council

© Crown copyright and database rights 2018. Ordnance Survey100019568.

PREMISE ADDRESS:	418 Wilmslow Road, Manchester, M20 3BW
WARD:	Old Moat
HEARING DATE:	05/10/2020

This page is intentionally left blank

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 Adam Porrino & Tess Parkinson

(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			
418 Wilmslow Rd / 3 Davenport Avenue Withington Manchester			
Post town	Manchester	Postcode	M20 3BW
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 9,000	

Part 2 - Applicant details

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

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

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

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




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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr	<input checked="" type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Other Title (for example, Rev)	
Surname					First names				
PORRINO					ADAM				
Date of birth									
I am 18 years old or over					<input checked="" type="checkbox"/> Please tick yes				
Nationality									
BRITISH									
Current residential address if different from premises address			[REDACTED]						
Post town		MANCHESTER					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 checked="" type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname PARKINSON			First names TESS		
Date of birth		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes			
Nationality BRITISH					
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	MANCHESTER			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)

Ground floor Art Gallery / Cafe / Bar situated in corner property over 3 rooms with 2 entrances.
Main entrance leads to front room with counter.
This then leads through to a small middle seating room and then the larger back room primarily for tables and chairs. The back room will host movie nights. We will serve a selection of hot / cold drinks and vegetarian food, most of which will be sourced locally.

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 checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

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

In all cases complete boxes K, L and M

A

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
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 boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

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

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" 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) The back room will have small speakers and some decks to play background music in the cafe and to play movies.		
Tue	11:00	20:00			
Wed	11:00	20:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	11:00	23:00			
Fri	11:00	23:30	<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	11:00	23:30			
Sun	11:00	20:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				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			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Wed			<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)		
Thur					
Fri					
Sat					
Sun					

H

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" 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) For evenings when we have movies or music playing later on we will offer hot drinks such as tea and coffee and food. We want to create a nice, cultured environment for locals.		
Tue	11:00	20:00			
Wed	11:00	20:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	11:00	23:00			
Fri	11:00	23:30	<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	11:00	23:30			
Sun	11:00	20:00			

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 checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon					
Tue	11:00	20:00			
Wed	11:00	20:00			
Thur	11:00	23:00			
Fri	11:00	23:30			
Sat	11:00	23:30			
Sun	11:00	20:00			
			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)		

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	Adam Porrino
Date of birth	[Redacted]
Address	[Redacted]
Postcode	[Redacted]
Personal licence number (if known)	[Redacted]
Issuing licensing authority (if known)	[Redacted]

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)

We are aware that we will be operating in the Withington Stress Area so we will be taking extra precautions in order to maintain a friendly and safe environment for the community and want to be proactive dealing with any concerns. We will put up alcohol awareness and crime prevention signs / stickers on the property and there will be one personal licence holder working at the property. CCTV cameras installed and the general maintaining of the four objectives which will be monitored and recorded in incident log books. The thorough training of all staff to be aware of these objectives and to uphold the best practice standards at all times. The venue is a small capacity and we want to encourage a friendly and cultured atmosphere. Our staggered closing times combined with our small capacity will ensure that only a small number of customers will be leaving the premises at any one time. We will also have notices on the walls reminding customers to be mindful of neighbours. Anybody waiting to gain entry into our cafe later into the evening or going outside to smoke will have to do so from our front entrance back on the high street rather than down the side (residential) street. We will be proactive on social media and on the premises in handing out our phone number and email address if anybody has any concerns whatsoever in the way we operate and encourage communication throughout. We will also encourage local meetings where necessary for anybody with concerns who may not have access to the internet. We are keen to become members of community initiatives such as Withington By Night whilst also regularly communicating with the Civic Society and other local businesses.

b) The prevention of crime and disorder

CCTV Cameras fitted. Shutters and alarm fitted to the property. All incidents recorded in an on-site incident book. Make sure no customers take alcoholic drinks or glasses from the premises. Available stock of plastic cups for anybody drinking on tables and chairs outside the property. Regularly check for any litter outside the property and make sure that customers do not stand down the side street of the property later into the evening. We feel communication will be key here and as the DPS on the property my contact details will be given out to ensure that we are working alongside local residents and businesses to prevent any crime and disorder.

c) Public safety

Make sure property is never past capacity (a sign will be placed at the entrance to display the capacity). Customers will be seated at tables whilst in the premises and regular glass / plate collection will be in operation. Make sure that all staff are trained and aware in regards to health and safety and the selling of alcohol. A first aid kit will be on the premises at all times. Make sure all Fire Exits are clearly visible and staff are aware of what to do in an emergency. Keep bins and any waste at the rear / side of property away from the public and regularly check outside the cafe for any litter or hazards. The area is currently very messy and overflowing with bins so we aim to get this cleaned up and neatly stored. Follow the latest Covid-19 advise in terms of public safety.

d) The prevention of public nuisance

Make sure alcohol is sold responsibly, we want to create a friendly and cultured environment, we will be strict with the sale of alcohol and will not serve anybody who is clearly intoxicated we will also continue to serve tea, coffee and food into the evening as our main offering. Wherever possible, customers will pay at the counter and we will bring drinks to tables. Strictly no entry will be permitted for any persons appearing heavily intoxicated. Signage will be placed on the walls of the property encouraging responsible drinking. Constantly monitor the outside area of the cafe for noise levels and aim to minimise the amount of people outside or queuing to enter the property (although we feel this will be minimal anyway due to the small capacity). Position the small speakers away from walls of property and personally carry out a noise test from the street to examine any impact this may have on the local community. Stop the serving of alcohol at least 30 minutes before closing time and ensure visitors leave the premises quietly. (We will also have signs in place to remind visitors of this) Make sure all bins are maintained and tidy outside the property. On evenings in which we are open late, we will have a cooling down period between 23:00 and 23:30 in which we stop serving and customers can quietly leave the premises.

e) The protection of children from harm

Make sure all children are accompanied by an adult on the premises and no children allowed on the premises after 21:00. Make sure the premises is extremely safe without any hazards. Make sure tables are regularly cleaned. i.e. No alcoholic drinks left unattended. Proof of age checking in place with all staff. Refusal book on site detailing any time somebody has been refused alcohol.

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. Completed online form
- 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)


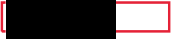

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

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	16/07/2020
Capacity	Co-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	16/07/2020
Capacity	Co-Owner

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

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

Document is Restricted

This page is intentionally left blank



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

Reference: 248087/CT4 // Premises: Cafe Blah, 418 Wilmslow Road, Manchester, M20 3BW

1 message

Councillor Garry Bridges <cllr.g.bridges@manchester.gov.uk>
To: Premises Licensing <premises.licensing@manchester.gov.uk>

13 August 2020 at 15:43

*Dear Licensing,***Reference:** 248087/CT4 // **Premises:** Cafe Blah, 418 Wilmslow Road, Manchester, M20 3BW*We welcome a new arts venue in Withington, there is no gallery or space for showing films in the village at the moment, so this new venture could be a positive addition.**Residents have however, raised concerns about another late alcohol license in the village and we would like the following assurances to be provided as part of the list of conditions to the license:*

- *Adequate measures are in place to prevent noise from the venue after 11pm each night*
- *Stronger measures are put in place to stop people causing noise and public nuisance as they leave the premises after 11pm, particularly on Friday and Saturday night.*
- *Bins are stored in an internal locked bin store at all times, except when brought out for collection*

*We welcome the closing times being earlier on Sundays, and Tuesday to Thursday night (closed on Mondays) to reflect the residential nature of the community and high street in which this new premises is based in.**Yours sincerely,**Old Moat Ward Councillors*

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	07976 226451	
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:
Café Blah
Address of the Premises (including postcode if known):
418 Wilmslow Road, Manchester, M20 3BW

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>The application is short on detail on what procedures the premises will implement to prevent underage sales of alcohol and thereby promoting the licensing objective of the protection of children from harm. Therefore we would like the following conditions attached to the licence should it be granted:</p> <ol style="list-style-type: none"> 1. That a Challenge 25 policy is implemented 2. The Challenge 25 scheme and the proof of age checks operated must 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.

3. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.

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

5. The premises shall display prominent signage indicating at any point of sale and at the entrance to the premises 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.

6. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within a reasonable time of a request by an officer of a Responsible Authority.

7. All staff authorised to sell alcohol shall be trained in:

- The prevention of underage sales of alcohol
- The prevention of proxy purchases of alcohol
- Maintenance of the refusals log
- Where till prompts are installed, how to enter sales correctly on the tills so the prompts show as appropriate
- How to refuse service

8. Training must include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed and signed by the trainee.

Documented records of training completed shall be kept for each member of staff.

Training shall be regularly refreshed and at no greater than 6 monthly intervals.

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

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.)

GREATER MANCHESTER POLICE - REPRESENTATION

About You

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

About the Premises

Application Reference No.	LPA 248087
Name of the Premises	Café Blah
Address of the premises including postcode	418 Wilmslow Road, Manchester M20 3BW

Your Representation

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

Please accept this as formal notification of the Greater Manchester Police objection to the application for a premises licence variation in relation to the above premises.

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

The area where the premises are situated is now subject to a Stress Policy due to the problems in the area with night time economy related incidents.

There is therefore a strong presumption against applications for alcohol led venues operating past 2330 hours in this area and MCC's licensing policy states that a genuinely exceptional case would need to be shown. The reasons for this exception should be shown within the operating schedule, and must demonstrate that there will be no harm to the licensing objectives, including from departing customers. The applicant has not demonstrated that this is a genuinely exceptional case nor have they shown within the operating schedule that there will be no harm to the licensing objectives.

The applicant states that they will host movie nights but has only applied to show films on Thursdays, so on Friday and Saturday they will be a bar which only starts selling alcohol at 11pm and carries on until 2am. Therefore GMP believe that it will almost certainly become a destination venue, where customers will only have 3 hours to drink alcohol so are more likely to binge drink.

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



Premises License (New), 248087/CT4 Cafe Blah, 418 Wilmslow Rd & 3 Davenport Avenue, Manchester M20 3BW (Old Moat Ward)

1 message

6 September 2020 at 16:35

To: premises.licensing@manchester.gov.uk

Dear Sir/Madam, I am e-mailing my objection to the application for the licensing of 437 Wilmslow Rd & 3 Davenport Avenue.

1. The proximity of these premises are less than 30 metres away from the 1st residential property. In fact sandwiched in between number 437 (on the corner of Davenport Avenue) and number 3 Davenport Avenue is the front entrance and doorway to Number 1 Davenport Avenue which is flats.

Davenport Avenue is a residential Rd with a mixture of residents, some students; some young families with young pre school children/ and many with school age children; working families, some who work shifts; and also retired and elderly people.

The disruption which will be caused by the music and by rowdy and drunken customers when leaving at 11:30pm will cause a disturbance, to the local residents.

2. There are currently several similar licensed businesses in Withington village which cater for food, alcohol and music. Despite these businesses being in the main village (as opposed to just a few feet from our frontdoors), on several evenings each week we suffer and are affected by the loud noise of customers leaving at closing time. We endure shouting, screaming, singing, swearing and verbal altercations. Being disturbed and awoken or being kept awake is very difficult, disruptive and physically tiring, especially to those who have to be up early for work or school/uni and to those who are unwell.

3. With the current constant worry and efforts to be vigilant of having to take all precautions possible to prevent the spread or transmission of the Covid 19 virus, one needs to come and view the regular puddles of vomit and pools of urine that are at regular intervals up and down the pavement in the village, as well as on Davenport Avenue. It is unpleasant and disgusting that people have to navigate their ways around this disgusting health hazards. This occurs on a regular basis and something we do not need more of!!!

4. Davenport Avenue and Ripplingham Rd, have problematic issues trying to park outside or near their residence due to the fact that many people who work in and around Withington, as well as those people who come to shop and socialise in Withington, use these roads to park. One side of Davenport Avenue and half of the opposite side of Davenport Avenue and Ripplingham road have no dedicated off rd parking. The local residents often cannot park on the rd and often face the inconvenience of having to park several streets away.

Add on to this the fact that the 1st section of Davenport Avenue is one way only to road traffic. Unfortunately this is ignored on a daily basis and is a cause of many angry confrontations between drivers.

Plus the noise of car doors slamming and engines running late at night causes yet more disturbance.

5. Just to mention that I have seen 3 different premises in Withington village which appear to be better located and much more appropriate for such a venture. I also have seen 5 premises between Withington village and Owens park that seemed much more suitable for this type of business.

With kind regards

Sent from my iPad



Chloe Tomlinson (Licensing) <chloe.tomlinson@manchester.gov.uk>

Fwd: Premises Licence (new) 248087/CT4: Cafe Blah, 418 Wilmslow Road, Manchester, M20 3BW, (Old Moat ward)

1 message

Premises Licensing <premises.licensing@manchester.gov.uk>
To: "Chloe Tomlinson (Licensing)" <chloe.tomlinson@manchester.gov.uk>

6 August 2020 at 16:28

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

From: <withingtonregeneration@gmail.com>

Date: Thu, 6 Aug 2020 at 15:42

Subject: Premises Licence (new) 248087/CT4: Cafe Blah, 418 Wilmslow Road, Manchester, M20 3BW, (Old Moat ward)

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

Dear Sir \ Madam

I write on behalf of Withington Village Regeneration Partnership (WVRP) to support the above application.

The WVRP is a fully constituted organisation consisting of public sector/private sector and community representatives whose objective is to promote the regeneration and improvement of Withington District Centre. Amongst our representatives are:

Public sector: Councillors and officers of Manchester City Council, the local MP Jeff Smith, Southway Housing Association, Christies Hospital

Private Sector: local property owners and businesses, We Are Withington traders group

Community: Withington Civic Society, Withington Baths and local residents

One of the things we are keen to encourage in Withington Village is an increase and improvement in the vibrancy and vitality of the Village. As traditional retail uses have become less prevalent in district centres such as Withington due to changing shopping patterns there is a growing need to re-invent district centres and we believe the additional of good quality food and drink offerings can help to significantly re-energise Withington Village.

We believe this proposal in particular would represent a positive addition to the Village as it represents a unique mix of retail and food and drink offering by a local and independent trader. We would particularly support the inclusion of outdoor seating area which will improve the vibrancy of what is currently something of a 'dead' spot in the Village.

Many thanks for your consideration of these comments.

Regards

Dave Payne

Chair

Withington Village Regeneration Partnership

Withington Works: 30 Burton Rd, Manchester M20 3EB



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

Our consultation on model conditions has been extended until 17/05/20:

<https://surveys.manchester.gov.uk/s/ModelLicenceConditionsconsultation/>

Coronavirus licensing service update: <https://www.manchester.gov.uk/licensing>

For the latest support and information regarding the coronavirus please visit

<https://secure.manchester.gov.uk/info/500361/coronavirus>

Can you help?

To support the food response please email food.response@manchester.gov.uk

To offer other support please email business@manchester.gov.uk

Tell us how we're doing with our [online feedback form](#)

[Please reply with history only and not to individual officers](#)

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

Emails sent through the internet may not be secure. They could be intercepted and read by someone else. Please consider this before you send personal or sensitive information by email.

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. An effective and adequate CCTV and alarm system shall be operated and maintained at the premises. 2. Management shall be proactive on social media and at the premises in handing out contact details to anybody who has concerns about the way that the premises is operating. Local meetings shall also be encouraged for anybody with concerns who may not have access to the internet. 3. Notices shall be prominently displayed near all exits from the premises asking patrons to leave quietly with consideration for neighbours. 4. Anybody waiting to gain entry into the premises late in the evening and anybody going outside to smoke shall do so from the front entrance on Wilmslow Road. 5. Plastic cups shall be available for anybody drinking on tables and chairs outside the property. 6. A sign shall be placed at the entrance of the premises indicating the capacity and this shall not be exceeded. 7. Signs shall be placed on the walls of the property encouraging responsible drinking. 8. Staff shall regularly check outside the premises for any litter. 9. Staff shall monitor noise levels outside of the property and shall ensure that customers do not stand outside the premises along Davenport Avenue late into the evening. 10. Tables shall regularly be cleaned and no alcoholic drinks shall be left unattended. 11. Customers will be seated at tables whilst in the premises. 12. Wherever possible, customers shall pay at the counter and staff shall bring drinks to tables. 13. All children on the premises shall be accompanied by an adult and no children shall be allowed on the premises after 21:00. 14. The speakers inside the premises shall be positioned away from walls of property. 15. A first aid kit shall be available at all times. 16. The premises shall maintain an incident log. 17. All fire exits shall be clearly visible. 18. Staff shall be trained to recognise and refuse entry and/or service to customers who have had too much to drink. 	N/A	Applicant

Schedule of Licence Conditions

Conditions proposed by objectors	Agreed	Proposed by
<p>1. A Challenge 25 policy shall be implemented. The Challenge 25 scheme and the proof of age checks operated must 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 warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.</p> <p>2. The premises shall display prominent signage indicating at any point of sale and at the entrance to the premises that the Challenge 25 scheme is in operation.</p> <p>3. The premises shall display prominent signage indicating at any point of sale and at the entrance to the premises 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>4. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within a reasonable time of a request by an officer of a Responsible Authority.</p> <p>5. All staff authorised to sell alcohol shall be trained in:</p> <ul style="list-style-type: none"> • The prevention of underage sales of alcohol • The prevention of proxy purchases of alcohol • Maintenance of the refusals log • Where till prompts are installed, how to enter sales correctly on the tills so the prompts show as appropriate • How to refuse service <p>Training must include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed and signed by the trainee.</p> <p>6. Documented records of training completed shall be kept for each member of staff. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.</p>	No	Trading Standards

Schedule of Licence Conditions

7. Training shall be regularly refreshed and at no greater than 6 monthly intervals.		
<p>8. Adequate measures shall be in place to prevent noise from the venue after 11pm each night.</p> <p>9. Adequate measures shall be put in place to stop people causing noise and public nuisance as they leave the premises after 11pm, particularly on Friday and Saturday night.</p> <p>10. Bins shall be stored in an internal locked bin store at all times, except when brought out for collection.</p>	No	Old Moat Councillors

This page is intentionally left blank

**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 05 October 2020

Subject: Premiere One Stop, 366-368 Moston Lane, Manchester, M40 9JS - App ref: Premises Licence (new) 248292

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: Moston

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

infrastructure and connectivity to drive growth	
---	--

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: Dave Skelly
Position: Technical Licensing Officer
Telephone: 0161 234 4915
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 10/08/2020, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Premiere One Stop, 366-368 Moston Lane, Manchester, M40 9JS in the Moston ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Premiere One Stop Ltd.
- 2.3 The description of the premises given by the applicant is Convenience store, News agent/Off licence Corner shop recently refurbished.
- 2.4 The proposed designated premises supervisor is Shaheen Khalid Khan .
- 2.5 **The licensable activities applied for:**
The supply of alcohol for consumption off the premises only:
Mon to Sun 9am to 10pm
- Opening hours:
Mon to Sun 8am to 10pm
- 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**

3. **Relevant Representations**

- 3.1 A total of 5 relevant representations were received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

Responsible Authorities:

- MCC Trading Standards

Other Persons:

- Residents (x4) plus petition

- 3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Trading Standards	Applicant has only made cursory mention for the Protection of children from harm, regarding Challenge 25. Trading Standards believes that this is insufficient and would like the application to be refused.	Refuse. If the committee were to grant, they would like the conditions mentioned in their representation to be added.
Residents (x4)	All residents believe that the granting of this application would lead to issues with all four of the licensing objectives. There are already issues within the area with, beggars, drunkenness, harassment from teenagers loitering around premises in the area, noise issues, litter and street drinking.	Refuse

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

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 New Information

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

4.3 Hearsay Evidence

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

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

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

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

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

4.5 Manchester Statement of Licensing Policy

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

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

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

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

- MS3 Responsible promotion and sale of alcohol
- MS5 Prevent on-street consumption of alcohol
- MS8 Prevent noise nuisance from the premises
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS12 Prevent underage sales of alcohol, including proxy sales

Section 9: Alcohol delivery services

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

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

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

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

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

Section 12: Premises Licences for large-scale public events

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

5. Conclusion

- 5.1 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.**



Premiere One Stop
366-368 Moston Lane, Manchester, M40 9JS

Premises Licensing
Manchester City Council

© Crown copyright and database rights 2018. Ordnance
Survey100019568.



PREMISE NAME: Premiere One Stop

PREMISE ADDRESS: 366-368 Moston Lane, Manchester, M40 9JS

WARD: Moston

HEARING DATE: 05/10/2020

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 PREMIERE ONE STOP LTD
 (Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
366-368 MOSTON LANE MANCHESTER			
Post town	MANCHESTER	Postcode	M40 9JS
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 8400	

Part 2 - Applicant details

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

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

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

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name	PREMIERE ONE STOP LTD.
Address	366-368 MOSTON LANE MANCHESTER M40 9JS
Registered number (where applicable)	12600723
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY

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

Part 3 Operating Schedule

When do you want the premises licence to start? DD MM YYYY

1	4	0	8	2	0	2	0
---	---	---	---	---	---	---	---

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

--	--	--	--	--	--	--	--

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

CONVENIENCE STORE
 NEWS AGENT
 GROCERIES / OFF LICENCE
 CORNER SHOP RECENTLY REFURBISHED
 LAND REGISTRY PLAN ATTACHED HEREWITH

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

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 checked="" type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	09:00	22:00	State any seasonal variations for the supply of alcohol (please read guidance note 5) N/A		
Tue	09:00	22:00			
Wed	09:00	22:00			
Thur	09:00	22:00			
Fri	09:00	22:00			
Sat	09:00	22:00			
Sun	09:00	22:00			
			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) N/A		

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	SHAHEEN KHALID KHAN
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	[REDACTED]
Issuing licensing authority (if known)	

K

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

NIA

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)</p> <p style="text-align: center;">NIA</p>																								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Day</th> <th style="width: 20%;">Start</th> <th style="width: 20%;">Finish</th> </tr> </thead> <tbody> <tr> <td>Mon</td> <td>08:00</td> <td>22:00</td> </tr> <tr> <td>Tue</td> <td>08:00</td> <td>22:00</td> </tr> <tr> <td>Wed</td> <td>08:00</td> <td>22:00</td> </tr> <tr> <td>Thur</td> <td>08:00</td> <td>22:00</td> </tr> <tr> <td>Fri</td> <td>08:00</td> <td>22:00</td> </tr> <tr> <td>Sat</td> <td>08:00</td> <td>22:00</td> </tr> <tr> <td>Sun</td> <td>08:00</td> <td>22:00</td> </tr> </tbody> </table>	Day	Start	Finish	Mon	08:00	22:00	Tue	08:00	22:00	Wed	08:00	22:00	Thur	08:00	22:00	Fri	08:00	22:00	Sat	08:00	22:00	Sun	08:00	22:00	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p> <p style="text-align: center;">NIA</p>
Day	Start	Finish																							
Mon	08:00	22:00																							
Tue	08:00	22:00																							
Wed	08:00	22:00																							
Thur	08:00	22:00																							
Fri	08:00	22:00																							
Sat	08:00	22:00																							
Sun	08:00	22:00																							

M

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

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

⇒ NO IRRESPONSIBLE PROMOTIONS
 ⇒ EVERY ALCOHOL SALE WILL BE
 AUTHORIZED BY THE DPS.

b) The prevention of crime and disorder

PREMISES COVERED WITH FULL CCTV, COVERING
 ALL ENTRIES AND EXITS AND INTERNAL AREA.
 FOCUS OF THE CAMERA TO MAKE SURE CLEAR
 IDENTIFICATION. FOOTAGE AVAILABLE TO
 OFFICER UPON REQUEST.

c) Public safety

FULL CCTV. COVERING INSIDE AND OUT.
 OVER 18 WILL BE SERVED ONLY WITH USE
 OF UNDER 25 POLICY.
 COVID 19 SOCIAL DISTANCING TO
 BE ADHERED.

d) The prevention of public nuisance

CLEAR SIGNS ASKING CUSTOMERS TO BE
 CONSIDERATE TOWARDS THE NEIGHBOURS WHEN
 ENTERING AND LEAVING.
 NO LOUD MUSIC PLAYED.

e) The protection of children from harm

UNDER 16 NOT ALLOWED IN THE SHOP AFTER
 8:00 PM WITHOUT AN ACCOMPANYING ADULT.
 UNDER 25 POLICY.
 NO CIGARETTE OR GAMING MACHINES
 IN THE SHOP.

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	[REDACTED]
Date	26/07/2020
Capacity	DIRECTOR (MUHAMMAD AFZAL)

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

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

Document is Restricted

This page is intentionally left blank

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	[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):
LPA 248292
Name of the Premises about which you would like to make a representation:
Premiere One Stop
Address of the Premises (including postcode if known):
366-368 Moston Lane Manchester M40 9JS

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 Trading Standards Service feels the application is lacking in detail with regards to how the premises will promote the licensing objective the Protection of Children from Harm.
There are several robust procedures available that if adopted and implemented will help prevent under age sales of alcohol (and other age restricted products). Thus promoting the licensing objective. Apart from a cursory mention of a Challenge 25 policy and no unaccompanied minors after 20:00 this is all the applicant has put forward.
We have concerns that the applicant has failed to grasp what is expected of them and the business to

serve their community in a safe manner. This judgement being made on the application submitted.

We would therefore recommend that the application be **refused**.

However if at hearing the panel are mindful to grant the licence we would like the following conditions to be attached to the licence.

- 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 HM Forces warrant card, or a card bearing the PASS hologram.
- 2) In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice. 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.
- 3) The premises shall display prominent signage indicating at point of sale and [in all areas where alcohol is located that the Challenge 25 scheme is in operation.
- 4) A log shall be kept at the premises and record all refused sales of alcohol for the reasons that the person(s) is, or appear to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.

We feel these conditions are appropriate and proportionate.

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.)

First name: [REDACTED]
 Last name: [REDACTED]
 Building number or name: [REDACTED]
 Street: [REDACTED]
 Area: [REDACTED]
 Postcode: [REDACTED]
 Email : [REDACTED]

Application reference number: 248292/DS7

Premises name (if known) and full address this representation relates to:
 Premiere One Stop
 366-368 Moston Lane
 M40 9JS

Which of the licensing objectives are relevant to your comments on this application: :
 The prevention of crime and disorder

Which of the licensing objectives are relevant to your comments on this application: :
 The prevention of public nuisance

Please state your comments on this application :

I am objecting the application on the basis that we have enough shops on Moston Lane selling alcohol and one is already established just across from the licence applicator. Completely too close in my opinion. Moston already has a problem with anti social behaviour as it is and I'm afraid this will only fuel more in the area. We also have a serious problem with drunkenness and beggars congregating outside these establishments. It's very intimidating and scary and not acceptable. No doubt the beggars will sit outside this shop too once open but please don't allow another reason for them to do this if alcohol is allowed to be sold. It would hopefully be a deterrent if not licensed. There are many young children in this location of the shop also and could entice loitering and therefore trouble of gangs etc. I'm not against a convenience store but PLEASE NO ALCOHOL.

Dear Sir/Madam,

[REDACTED]. I am writing on behalf of residents in our area to object to the premises licence application at "Premiere one stop ltd, 366-368 Moston Lane, Manchester, M40 9JS".

I ask that the Manchester Council refuse the application on the grounds it doesn't meet the licensing objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance

Moston Lane itself already has so many licensed premises it is dubbed as alcohol alley, famous enough to show up in newspapers.

Sources:

<https://www.dailymail.co.uk/news/article-1222451/Revealed-The-city-street-dubbed-Alcohol-Alley-staggering-22-licensed-premises.html>

<https://www.manchestereveningnews.co.uk/news/greater-manchester-news/alcohol-alley--street-with-22-932974>

The numbers of premises licensed for alcohol on Moston Lane itself is very dense already let alone the Moston area. The applicant's proposal is right next to an already existing Off licence "H&H WINES&SPIRITS" just across the road not even 10 meters away. The next off licence is "One Stop" which is 320yards away and "California Wines" is 500 yards away. All these shops are just a small walk from each other and furthest one is not even 4 minutes' walk. There is also "Blue Bell" Pub 300 yards away and "Mowers Arms" pub 700 yards from the applicant's proposed premises. There are more off licences further along Moston Lane. The density of alcohol retailers in the area will lead to increased competition and a reduction in alcohol prices, making alcohol even more affordable, contributing in more consumption and public nuisance because of proximity.

There is quite simply no benefit to it. There are too many applications for liquor licences in this small area. There are no needs or demands and allowing this application to go through will no doubt have detrimental effects and have cumulative impact in this area. More alcohol pricing competition encourages crime and disorder, particularly among young people. The innocent victims are the fraternity of residents living in this area.

Residents in the vicinity say a few pubs already had to close because of boozing in the streets. There's also known of problems outside "California Wines" and "Royal Wines" where drinkers and youngsters would loiter outside around causing problems to residents and the residents would very much not like that to happen here. There is mental pressure and concerns another alcohol store in Moston would add to crime and disorder in the area.

The many residents and local businesses have signed a petition (petition count of over 100) in objection that if another off licence was to open it would bring back more chaos and increase problems such as and not limited to:

- Alcohol-related crime and disorder
- Violence and anti-social behaviour
- Domestic violence
- Hospital admissions
- A&E attendances for assaults
- Increase the local threat of public nuisance
- Mental health and wellbeing of vulnerable people in the local community

This will have a negative impact on the promotion of the licensing objectives and as residents we ask that the history of alcohol problems on Moston Lane does not repeat itself and continue to strive to be better.

Please find attached an objection petition and a map of off licences and pubs around the applicant's proposal.

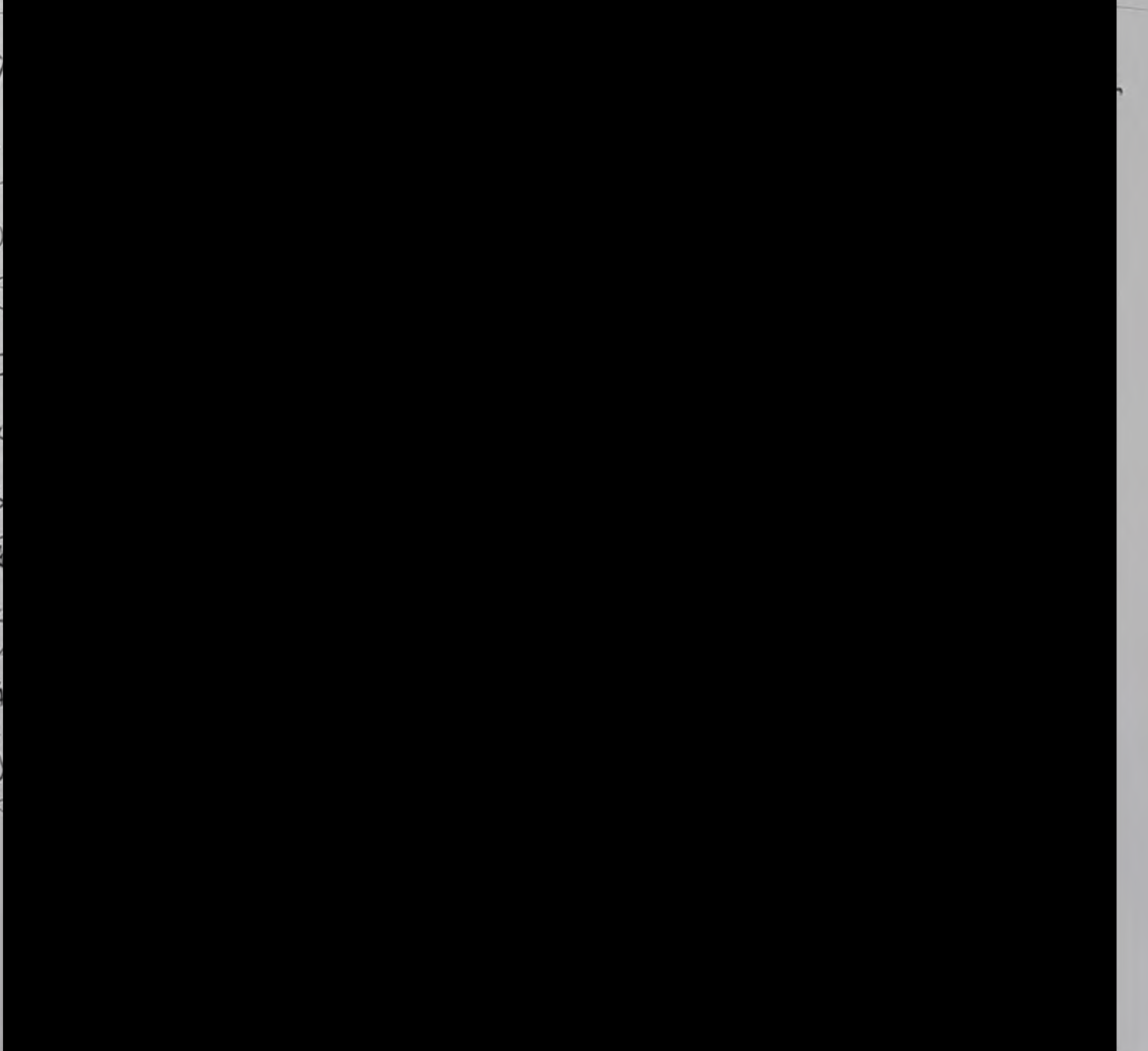
Yours Faithfully,

[Redacted signature block]

PETITION AGAINST "PREMIERE ONE STOP LTD,
366-368 MOSTON LANE, M40 9JS"

WE DO NOT AGREE TO THE
APPLICATION FOR NEW PREMISES LICENCE
FOR THE ABOVE.

NAME	ADDRESS	SIGNATURE
------	---------	-----------

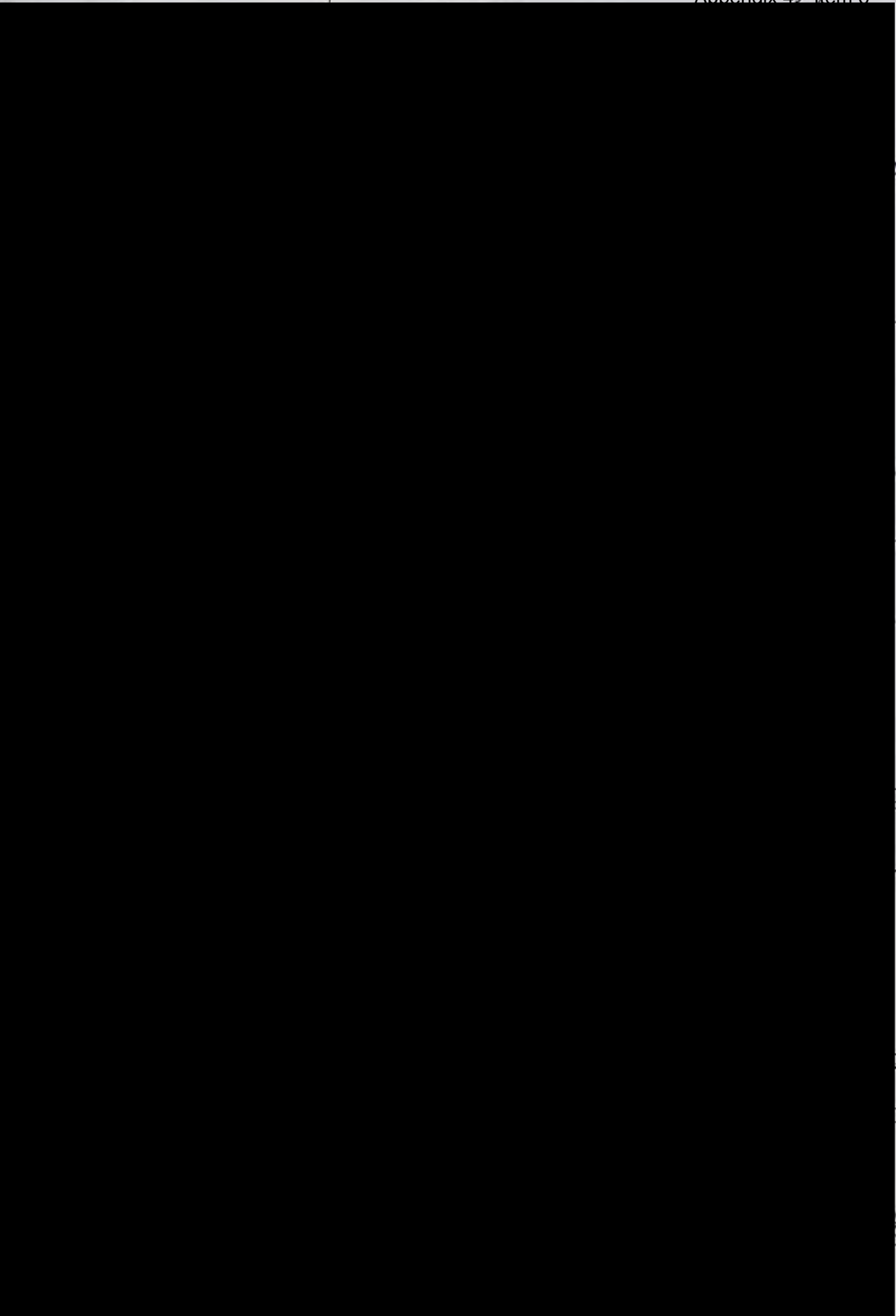


NAME

ADDRESS

SIGNATURE

Appendix 4 / Item 6



Handwritten notes or markings in the right margin, including a vertical line and some illegible characters.

NAME

ADDRESS

SIGNATURE

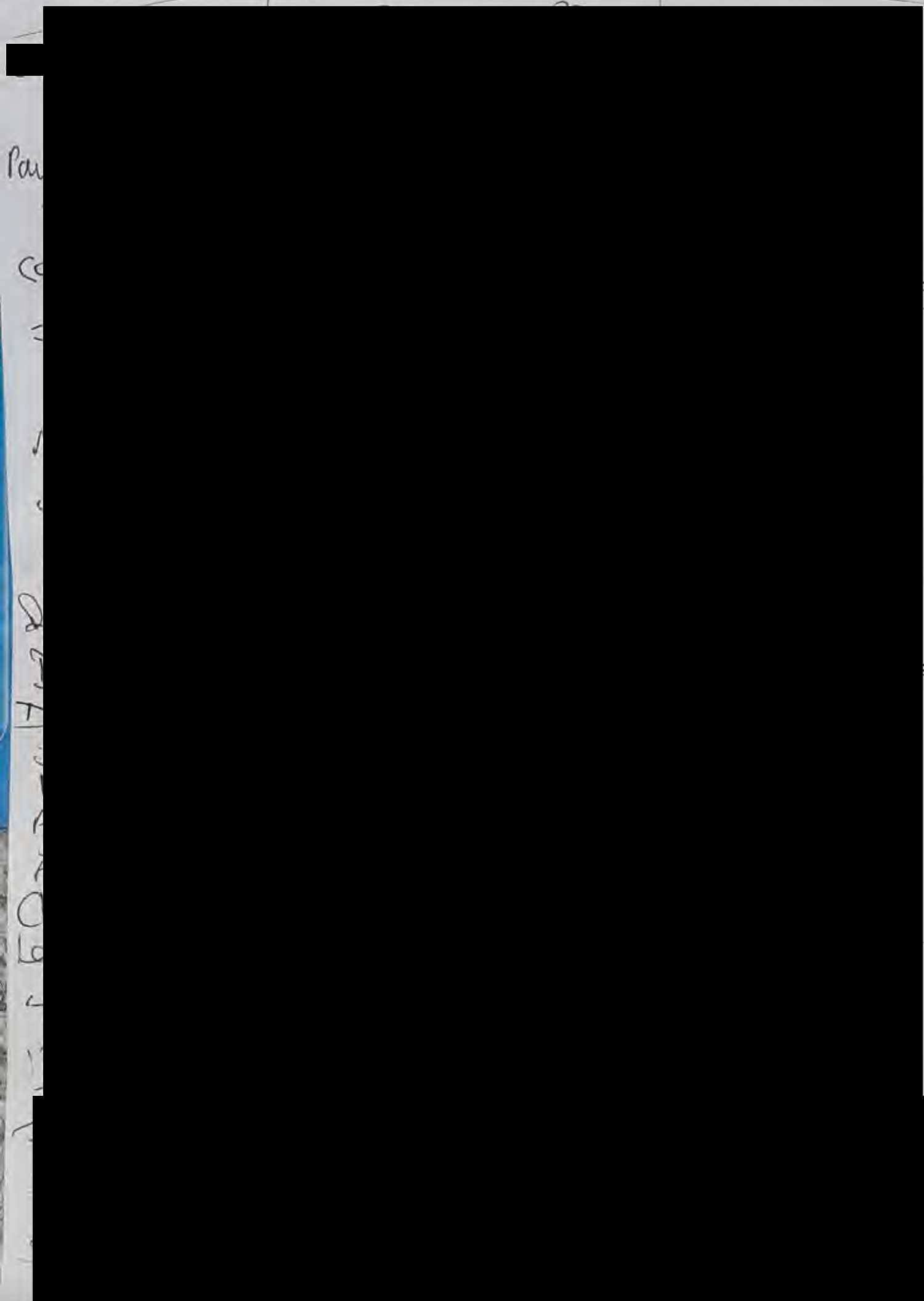
Paul

Co

Hand

FO

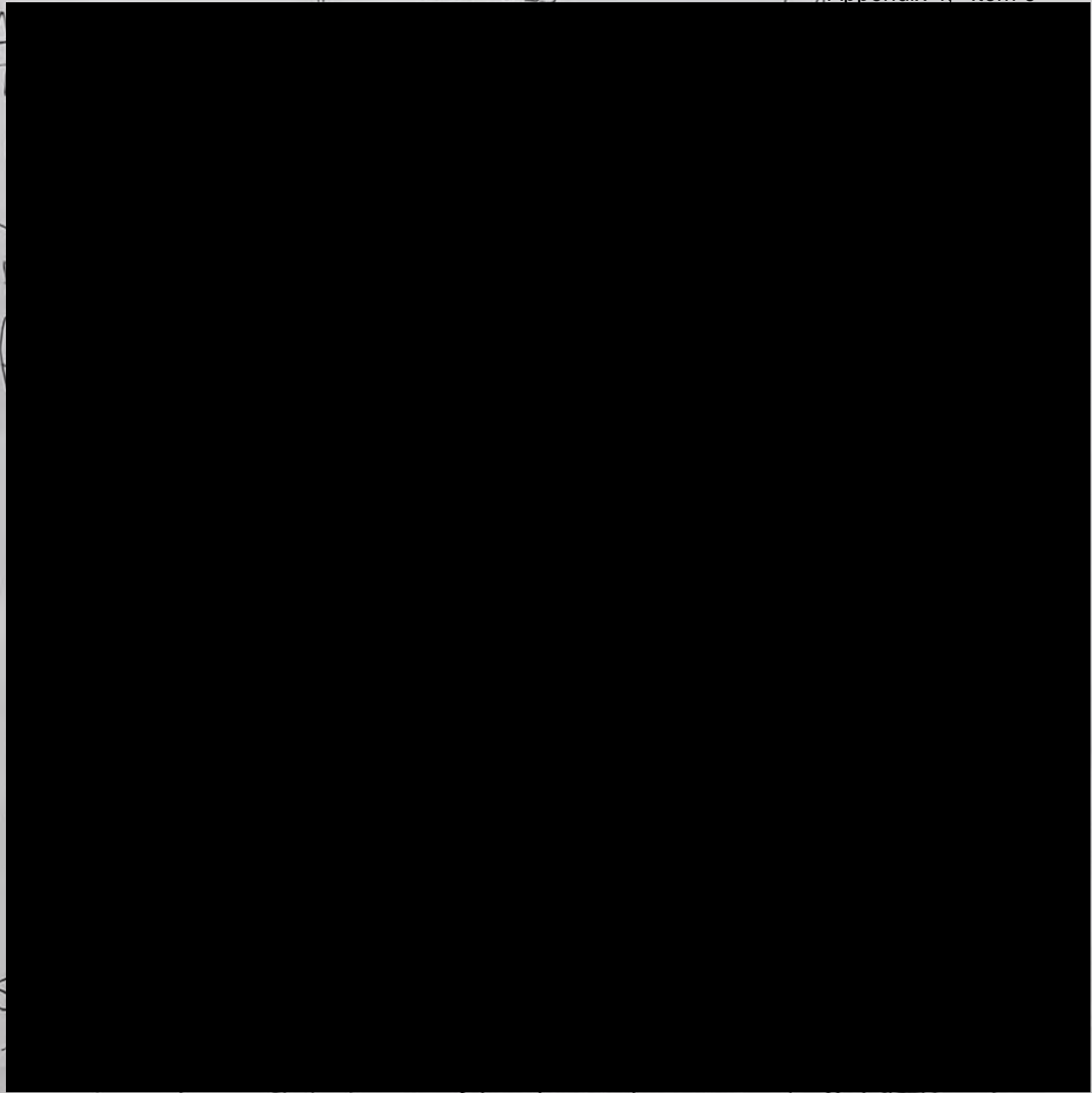
5



NAME

ADDRESS

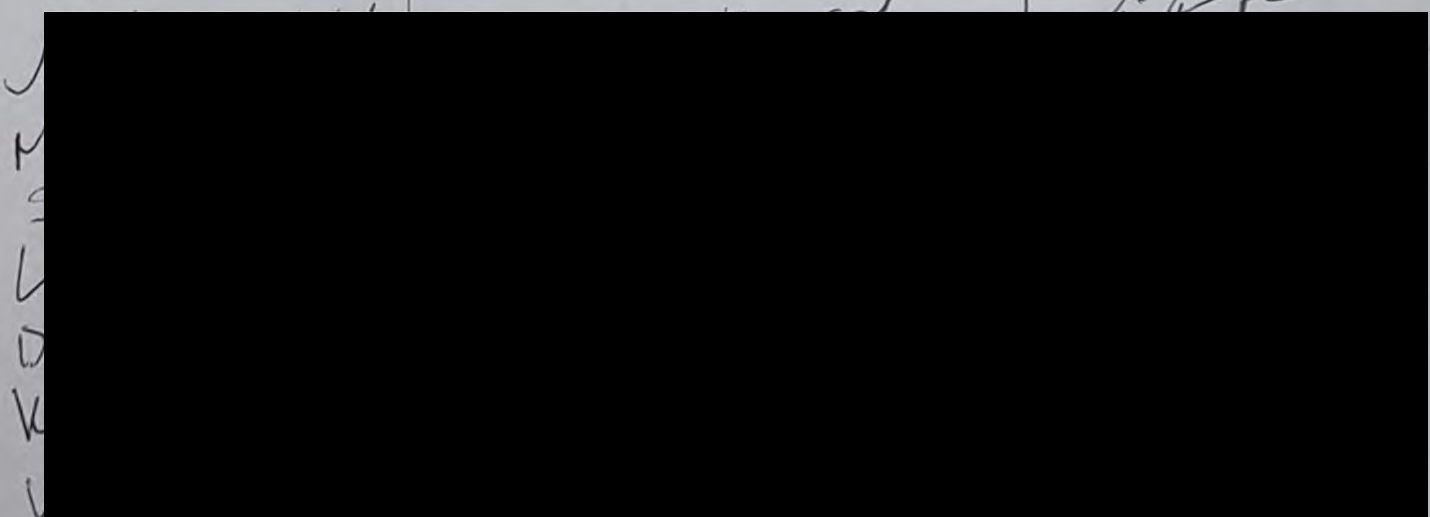
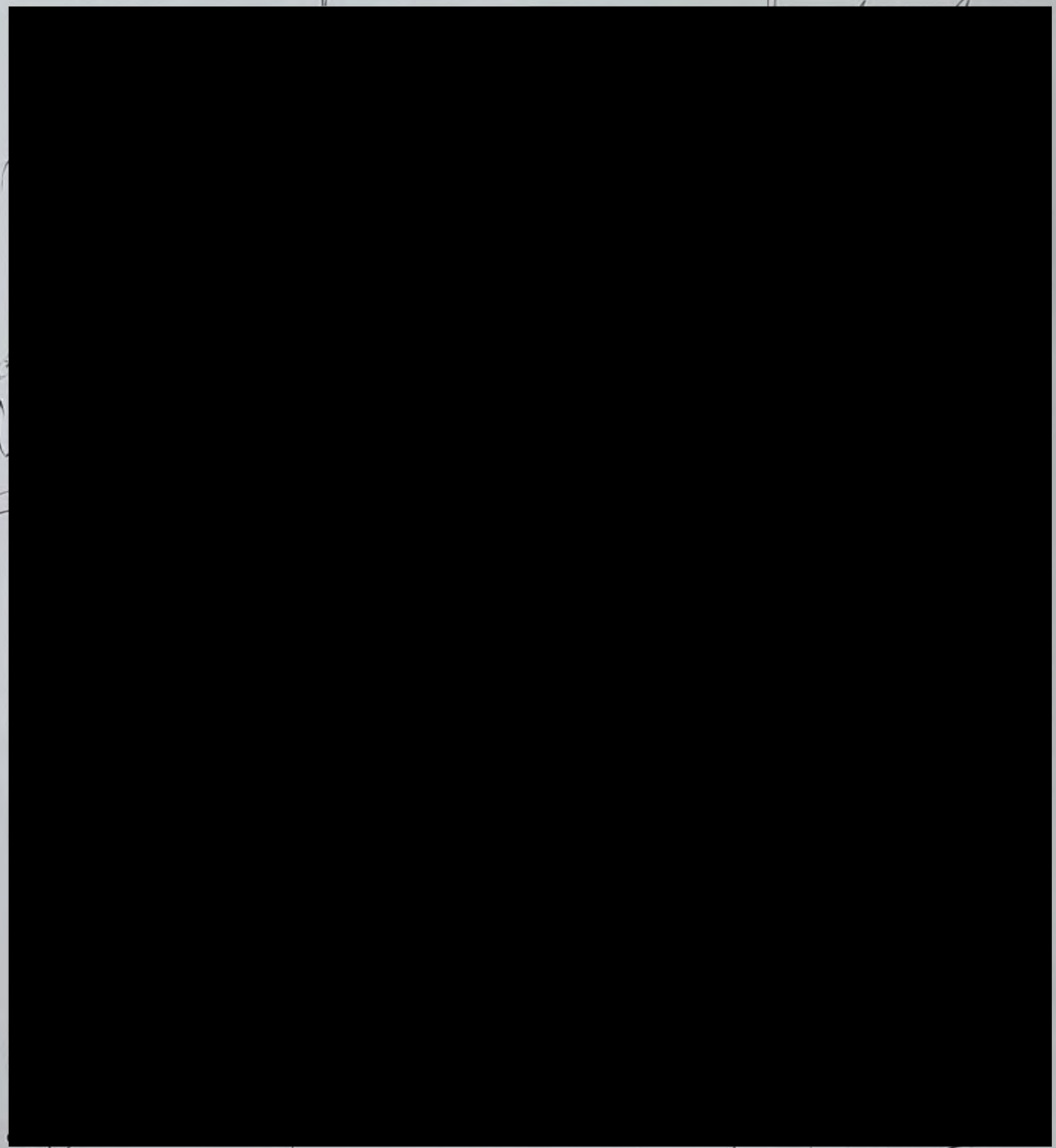
SIGNATURE
Appendix 4, Item 6



NAME

ADDRESS

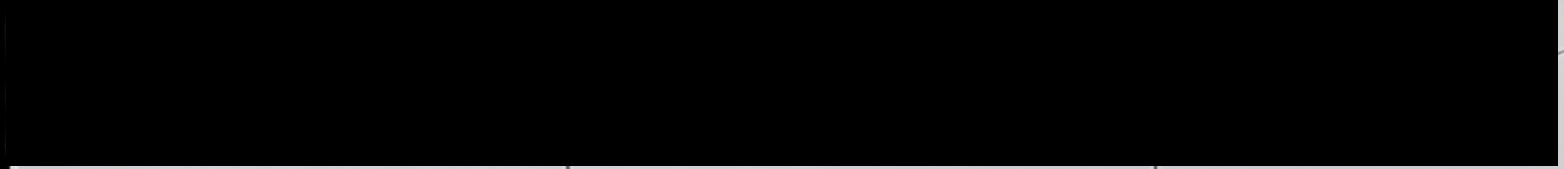
SIGNATURE
Appendix 4, Item 6

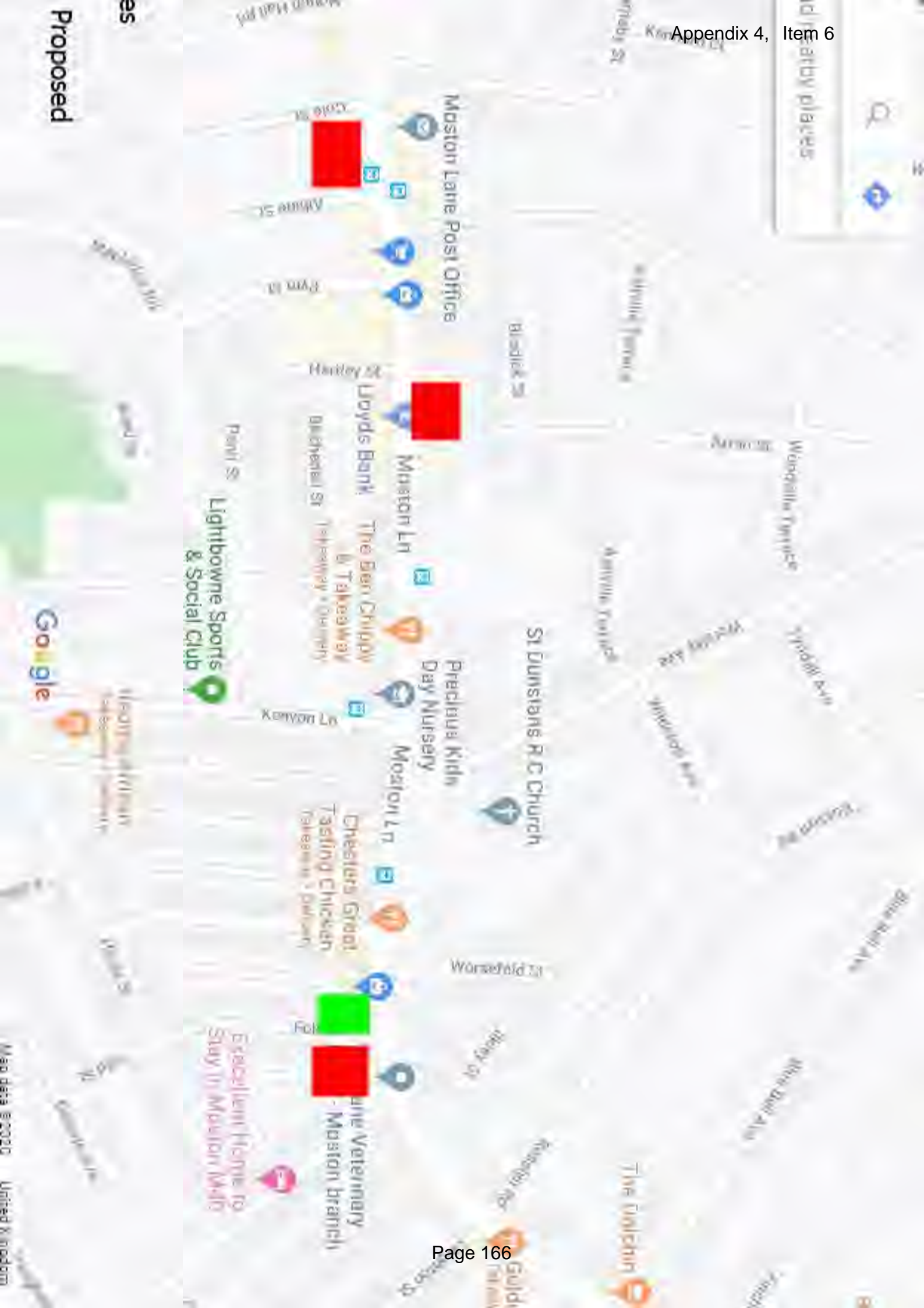


NAME

ADDRESS

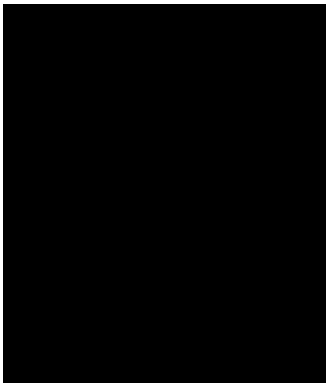
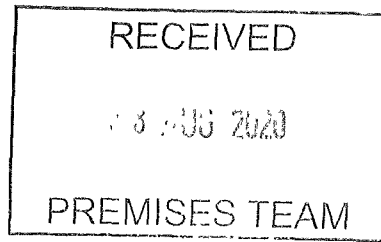
SIGNATURE





Proposed

Premises licencing
Level 1 town hall extension
Albert Square
PO BOX 532
M60 2LM



24th August 2020

RE: proposed off-licence

Dear Sir or Madam,

It has come to my attention that the address 366-368 Moston lane, Moston, Manchester, M40 9JS is proposed to become a Premier One Stop Ltd off-licence. [redacted]

[redacted] I am writing to express my concerns and strong objection to this proposal.

Firstly, opposite the premises concerned [redacted] here is an existing off-licence at the address of H & H Wines 370 Moston Lane Moston Manchester M40 9JS. The unnecessary proximity of the proposed off-licence and the existing H & H Wines causes me concern [redacted]

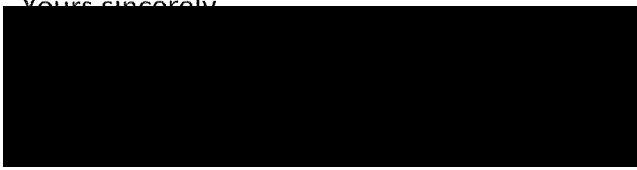
My concerns are not unfounded as in the past I have suffered stress, anxiety and sleepless nights as a result of gangs of teenagers loitering around the off-licence engaging in anti-social behaviour. The torment [redacted] and I endured included harassment, verbal abuse, intimidation and damage to property. On one occasion my window was broken, my door booted and used as a urinal. This has led to the instalment of a security gate [redacted] and police intervention on numerous occasions, records of which GMP should hold

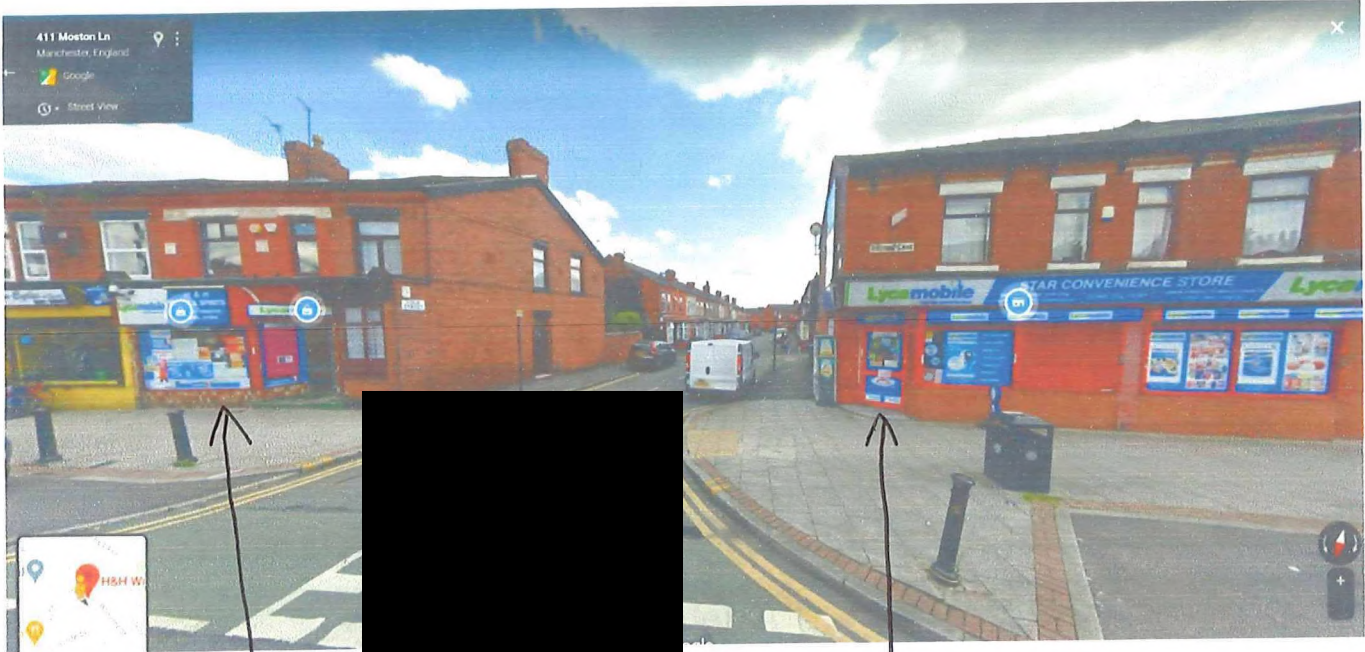
Furthermore, if the premises in question does become a Premier off-licence with opening hours of 9AM-10PM Monday-Sunday I fear trouble will ensue in the form of noise disturbances and hooliganism. The possibility of inconsiderate behaviour at this hour concerns me greatly as my work as an NHS employee requires me to wake at 5AM.

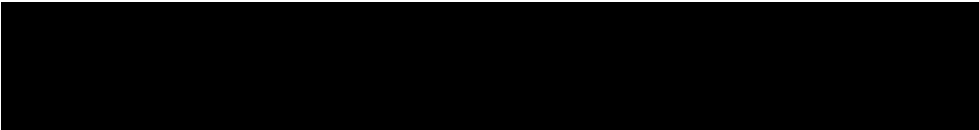
As an elderly individual [redacted] I feel vulnerable, helpless and fear that the premises becoming another off-licence will exacerbate the existing problems [redacted] and I suffer as well as have a detrimental effect on my own wellbeing.

Please contact me if any further information is required

Yours sincerely,







12:35 (40
minutes
ago)

to Premises, me

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

Application Type: Premises Licence (new)

Reference: 248292/DS7

Premises: Premiere One Stop, 366-368 Moston Lane, Manchester, M40 9JS

Applicant: Premier One Stop Ltd

Dear Sirs

I am writing to object to the above Application for a Premises Licence on the following 4 grounds:-

1. **The prevention of crime and disorder**

When people have had too much to drink this can lead to them falling, injuring themselves, etc, and requiring ambulances and hospital treatment, depending on their injuries. The hospitals are already struggling to cope due to the pandemic and could be for some time to come.

We are also constantly informed that drinking too much is not healthy for us and health departments issue leaflets advising on the safe amounts of alcohol units per week.

Despite there being strict alcohol laws on drink driving, many choose to flout those laws leading to the police carrying out breathalyser tests on drivers. There are TV programmes showing the work the police do in catching those drunk drivers.

The recent raves show many discarded bottles and cans, amongst other items.

2. **The prevention of public nuisance**

Despite there being notices stating that no alcohol is to be consumed on our streets, people still do this.

People also buy alcohol from outlets and take it to parks to drink. Litter pickers clear up many discarded alcohol bottles and cans. Alcohol bottles and cans are also simply discarded on streets, grassland, etc.

The recent raves show many discarded alcohol bottles and cans, amongst other items.

3. **Public Safety**

People under the influence of alcohol can fall, be involved in road accidents, be aggressive, etc, on many occasions requiring medical treatment which puts a strain on the NHS.

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

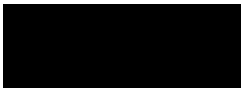
If adults are drinking and children are in their house, they may become intoxicated and fall asleep. If their child needs their attention and the parent/s are intoxicated/asleep or even unconscious, the child could be ignored when it needs assistance, or the parent could become violent (depending on the amount of alcohol consumed), etc, and this could lead to 'accidents', etc.

As in my earlier email:-

1. There is no need for any more shops selling alcohol in Moston, especially from 9am in the morning, 7 days a week.
2. There are already several shops and supermarkets in Moston which sell alcohol.

I therefore object to this Application and trust Premises Licensing will honour the comment made by Council Leader, Sir Richard Leese, regarding the "Have your say on the 'Our Manchester' Strategy" (Manchester Evening News, 4th September 2020) where he says **"We're listening to what you have to say."**

Yours faithfully

A solid black rectangular box used to redact the signature of the sender.

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

Document is Restricted

This page is intentionally left blank

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. No irresponsible promotions 2. Every alcohol sale will be authorised by the DPS 3. Premises covered with full CCTV covering all entries and exits and internal area. Focus of the camera to make sure clear identification. Footage available to officer upon request. 4. Full CCTV covering inside and out. 5. Over 18 will be served only with use of under 25 policy. 6. Covid 19 social distancing to be observed. 7. Clear signs asking customers to be considerate towards the neighbours when entering and leaving. 8. No loud music played. 9. Under 16 not allowed in the shop after 8pm without accompanying adult. 10. Under 25 policy. 11. No cigarette or gaming machines in the shop. 	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
<p>3.</p> <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 HM Forces warrant card, or a card bearing the PASS hologram.</p> <p>2) In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice. 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>3) The premises shall display prominent signage indicating at point of sale and [in all areas where alcohol is located that the Challenge 25 scheme is in operation.</p> <p>4) A log shall be kept at the premises and record all refused sales of alcohol for the reasons that the person(s) is, or appear to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.</p>	No	Trading Standards

This page is intentionally left blank



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 248766
Name: U Marlenki Ltd
Address: 295 Palatine Road, Manchester, M22 4HH
Ward: Northenden
Application Type: Premises Licence (new)
Name of Applicant: Mrs Marlena Doros-Nowak
Date of application: 14 August 2020

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

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

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

Proposed licensable activities and opening hours to be granted

The supply of alcohol for consumption off the premises only:

Monday to Friday 9.00am to 6.00pm

Saturday 9.00am to 5.00pm

Sunday 10.00am to 4.00pm

Opening hours:

Monday to Friday 9.00am to 6.00pm

Saturday 9.00am to 5.00pm

Sunday 10.00am to 4.00pm

Representations received

Greater Manchester Police

GMP have expressed concerns over the applicant's understanding of the Licensing Objectives due to the lack of enforceable conditions offered via the Operating Schedule submitted with the application. Consequently so GMP are requesting that the application be refused.

Licensing & Out of Hours Compliance	As with GMP, LOOH Compliance are not satisfied that the applicant has displayed a sufficient understanding or depth of knowledge of the Licensing Act provisions relating to the upholding of the Four Licensing Objectives. However, LOOH Compliance has put forward a range of conditions that it is felt will ensure compliance with the Licensing Act 2003 in regard to ensuring the upholding of the Four Licensing Objectives.
The Trading Standards Service	It is of concern to the Trading Standards Service that the applicant has provided little to no understanding of how best to uphold the Licensing Objective relating to the protection of children from harm (with particular reference to applying an age verification policy at the premises). Although the Trading Standards Service has requested a refusal of the application it has been suggested that, as a proviso, specific conditions be adopted on to any premises licence which may be granted by way of a hearing.

Agreements between parties

Following the end of consultation the applicants' representative submitted a revised Operating Schedule (which incorporated all of the proposed conditions being put forward by the Licensing Out of Hours and Compliance Team and The Trading Standards Service via their representations as well as extra conditions to address potential issues relating to the prevention of crime and disorder and the upholding of public safety at the premises). Consequently so all Responsible Authorities/parties who had submitted a representation against the application confirmed their agreement to grant the licence subject to the conditions being put forward via the revised Operating Schedule document.

Greater Manchester Police, the Licensing Out of Hours Compliance Team and The Trading Standards Service have agreed to the following conditions:

- A camera CCTV system shall be in place covering all public areas of the premises
- The CCTV system shall continuously record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum of 31 days and can be accessed and downloaded immediately when requested by the police or other authorised officer
- There shall always be at least one person present whilst the premises is open to the public who is able to operate and download images from the CCTV
- SIA door staff shall be employed at the premises where identified as necessary

by risk assessment.

- When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - the number of door staff on duty;
 - the identity of each member of door staff;
 - the times the door staff are on duty.
- An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which shall record the following:
 - all crimes reported to the venue;
 - any complaints received;
 - any incidents of disorder;
 - any faults in the CCTV system;
 - any visit by a relevant authority or emergency service;
 - all ejections of patrons;
 - all seizures of drugs or offensive weapons;
 - any refusal of the sale of alcohol.
- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
- No rubbish, including bottles, shall be moved, removed or placed in outside areas between 21:00 and 08:00 hours.
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
- The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.
- All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
- The premises shall be maintained in a safe manner at all times.
- All exits shall be kept unobstructed, easy to open and clearly signed.
- The Challenge 25 scheme shall 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 HM Forces warrant card, or a card bearing the PASS hologram.
- In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice
- 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.
- The premises shall display prominent signage indicating at point of sale and in all areas where alcohol is located that the Challenge 25 scheme is in operation

- A log shall be kept at the premises and record all refused sales of alcohol for the reasons that the person(s) is, or appear to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log shall be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.

Background documents (available for public inspection):

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



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 248855
Name: Terrace
Address: 43 Thomas Street, Manchester, M4 1NA
Ward: Piccadilly
Application Type: Premises Licence variation
Name of Applicant: Defaqto Leisure Limited
Date of application: 14 August 2020

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

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

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

Proposed variations to be granted

Plan

Amendment to the layout of the licensed area in accordance with the plan submitted with the application.

Addition of off-sales of alcohol

The applicant adds that "whilst this is currently permitted under the Business and Planning Act 2020, this change is to take effect for the long term"

For information, the hours are to be the same as for sale of alcohol on the premises which are: Mon and Tues 9am to 1am, Weds and Thurs 9am to 2am, Fri and Sat 9am to 3am, Sun 9am to 2am

Amendment to condition 3 of Annex 3

Proposed new wording: The number of persons permitted on the terrace area at any one time shall be subject to an ongoing risk assessment to be carried out by the DPS, taking into account potential noise nuisance and subject to ongoing monitoring of noise levels.'

Representations received	
Licensing & Out of Hours Compliance	The basis of the agreement is the addition of a condition as below, which satisfies the concerns raised surrounding this issue.

Agreements between parties
<p>Licensing & Out of Hours Compliance:</p> <p><u>Addition of condition</u></p> <p>All sales of alcohol for consumption off the premises shall be in sealed containers only (save for that sold for consumption in any delineated external area), and shall not be consumed on the premises.</p>

Background documents (available for public inspection):

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



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 249044
Name: Arts and Humanities Bldg MMU
Address: Cavendish Street, Manchester
Ward: Hulme
Application Type: Premises Licence (new)
Name of Applicant: Manchester Metropolitan University
Date of application: 24 August 2020

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

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

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

Proposed licensable activities and opening hours to be granted

Provision of regulated entertainment (plays, films, indoor sporting events, performances of dance): Indoors.
Mon to Sun 8am to 12midnight

Provision of regulated entertainment (live music, recorded music): Both.
Mon to Sun 8am to 12midnight

Provision of late night refreshment: Both.
Mon to Sun 11pm to 12midnight

The supply of alcohol for consumption both on and off the premises:
Mon to Sun 10am to 12midnight

Opening hours:
Mon to Sun 7am to 00.30am

Representations received

Licensing & Out of Hours
Compliance

Prevention of public nuisance (due to the location of residential properties opposite, the Licensing Out of Hours Compliance Team has concerns regarding noise issues from the Arts

	and Humanities Bldg
--	---------------------

Agreements between parties**Licensing & Out of Hours Compliance:**

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 encourage patrons to leave the premises in a manner which does not cause a public nuisance.
3. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.

Background documents (available for public inspection):

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



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 249013
Name: Ormond Building
Address: Ormond Building, Lower Ormond Street, Hulme, Manchester, M15 6BX
Ward: Deansgate
Application Type: Premises Licence (new)
Name of Applicant: Manchester Metropolitan University
Date of application: 24 August 2020

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

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

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

Proposed licensable activities and opening hours to be granted

Proposed hours and licensable activities:

Provision of regulated entertainment (films, live music, recorded music):
Mon to Sun 8am to 11pm

The supply of alcohol for consumption on the premises only:
Mon to Sun 10am to 11pm

Opening hours:
Mon to Sun 7am to midnight

Representations received

Licensing & Out of Hours
Compliance

Concerns over the potential for public nuisance

Agreements between parties**Licensing & Out of Hours Compliance:**

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 encourage patrons to leave the premises in a manner which does not cause a public nuisance.
3. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.

Background documents (available for public inspection):

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



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 248887
Name: NQ64
Address: 23 Peter Street, Manchester, M2 5QJ
Ward: Deansgate
Application Type: Premises Licence variation
Name of Applicant: NQ64 Peter Street Limited
Date of application: 17 August 2020

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

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

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

Proposed licensable activities and opening hours to be granted

The application seeks;

- To vary the layout of the premises in accordance with the plans deposited with the application and;
- Amend or remove various conditions currently attached to the licence to better reflect its change in trading style from a nightclub to a retro arcade bar.

There are to be no other changes to the licence.

Representations received

Licensing & Out of Hours Compliance

LOOH Compliance has expressed concerns that the granting of the application will lead to issues of Public Nuisance taking place at the premises and the general undermining of the City Council's Licensing Policy. Due to a change in the operating model of the premises (the premises is currently undergoing conversion works to change it from a nightclub to a 'retro arcade' bar) the application is seeking to remove a number of conditions from the existing premises licence that, amongst other issues, relate to the management of smoking and queuing activities at the premises.

	<p>LOOH Compliance believes that the removal of those conditions that specifically relate to smoking and queuing at the premises will generate an adverse effect upon the Licensing Objectives and the City Councils Licensing Policy as it will create potentially unmanageable crowding immediately outside the premises, forcing pedestrians onto the public highway and generating resulting public safety issues and would also create potential obstruction issues immediately outside an adjacent premises' emergency exit doors.</p> <p>Although a replacement smoking policy has been submitted as part of the application, LOOH Compliance is not satisfied that it provides the required assurances that patrons smoking outside the premises will be correctly managed, or even where any potential smoking area will actually be located.</p> <p>To ensure that the Licensing Objectives are fully upheld at the premises, LOOH Compliance are requesting that specific conditions be attached to any amended premises licence that requires the premises to supply agreed Smoking and Queue and Dispersal Policies to the Licensing Authority before the premises re-opens for business.</p>
--	---

Agreements between parties

Licensing & Out of Hours Compliance:

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

Background documents (available for public inspection):

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