



Licensing Sub Committee Hearing Panel

Date: Monday, 12 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 – Andrews (Chair), Hassan and Jeavons

Agenda

1. Urgent Business

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

2. Appeals

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

3. Interests

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

4. New Premises Licence - House of Beijing, 8 Polygon Street, Manchester, M13 9SG - determination 5 - 8

The determination papers are enclosed.

5. New Premises Licence - 20 Claremont Grove, Manchester, M20 2GL - determination 9 - 10

The determination papers are enclosed.

6. New Premises Licence - Openshaw Mini Market, 1302 Ashton Old Road, Manchester, M11 1JG - determination 11 - 12

The determination papers are enclosed.

7. Premises Licence Variation - Aftabs, 1 Bonsall Street, Manchester, M15 6DR 13 - 66

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

8. New Premises Licence - Karibu, 911 Ashton New Road, Manchester, M11 4PB 67 - 134

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

9. New Premises Licence - The Loft, 1 New Street, Manchester, M40 8AW 135 - 228

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

- | | |
|--|-----------|
| 10. New Premises Licence - Whistle Punks, Unit 20, Great Northern Warehouse, 235 Deansgate, Manchester, M3 4EN The report of the Director of Planning, Building Control and Licensing is enclosed. | 229 - 288 |
| 11. Temporary Event Notice - Puffin Box, Basement Hilton House, 26-28 Hilton Street, Manchester, M1 2EH The report of the Director of Planning, Building Control and Licensing is enclosed. | 289 - 364 |

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
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This agenda was issued on **Thursday, 1 October 2020** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 248337
Name: House of Beijing
Address: 8 Polygon Street, Manchester, M13 9SG
Ward: Ardwick
Application Type: Premises Licence (new)
Name of Applicant: Mr Gang Wang
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 supply of alcohol for consumption on the premises only:

Mon to Sun 12 midday to 10pm

Opening hours:

Mon to Sun 12 midday to 10pm

Representations received

| | |
|-------------------------------------|--|
| Greater Manchester Police | Concerns over the conditions proposed not being robust enough particularly as they relate to the Prevention of Crime and Disorder, the Prevention of Public Nuisance and Public Safety |
| Licensing & Out of Hours Compliance | Application lacking in detail so further conditions proposed in order to better uphold the licensing objectives |
| Trading Standards | Application lacking in detail so further conditions proposed in order to better uphold the licensing objectives |

Agreements between parties

Greater Manchester Police:

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.
2. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:
 - all crimes reported to the venue, or by the venue to the Police
 - all ejections of patrons
 - any incidents of disorder
 - any faults in the CCTV system
 - any visit by a relevant authority or emergency service
 - all refusals of sales of alcohol
3. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of identification to enable to verify their identity against the notice.
4. The premises shall display prominent signage indicating at any point of sale, the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.
5. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals.

Licensing & Out of Hours Compliance:

1. All staff shall be trained in recognising signs of drunkenness, how to refuse service and the premises duty of care. Documented records of training completed shall be kept for each member of staff. Training shall be regularly

refreshed and at no greater than 12 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.

2. The supply of alcohol shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
3. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
4. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.
5. Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.
6. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
7. 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.

Trading Standards:

1. A refusals log shall be maintained in which members of staff shall record any instances of a refusal to sell alcohol. This can be in computer or paper format. The name of the person refusing the sale, their signature and the date, time and reason for the refusal shall be recorded. Managers shall regularly inspect the log and record they have inspected it so that the implementation of the policy by staff can be monitored. The refusals log shall be made available for inspection on request by an officer of Greater Manchester Police or an authorised officer of Manchester City Council.
2. All staff authorised to sell alcohol shall be trained, where till prompts are installed, in how to enter sales correctly on the tills so the prompts show as appropriate. 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.

Background documents (available for public inspection):

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

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Licensing Act 2003 (Hearings) Regulations 2005

Reference: 249132
Name: 20 Claremont Grove
Address: 20 Claremont Grove, Manchester, M20 2GL
Ward: Didsbury West
Application Type: Premises Licence (new)
Name of Applicant: Ms Ashleigh Otten
Date of application: 27 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 Sunday 8am to 6pm

Representations received

Licensing & Out of Hours
Compliance

LOOH Compliance are requesting the imposition of extra conditions on any granted premises licence to ensure that the Licensing Objectives are fully upheld.

Agreements between parties

Licensing & Out of Hours Compliance:

- The Premises Licence Holder shall provide the following information in writing to the Licensing Authority before any sale of alcohol is carried out:
 - the trading name of any company that shall operate under the licence;
 - all telephone numbers that shall be used to accept orders;
 - the URL/website address that shall be used to accept any orders.

Any change to this information must be notified to the Licensing Authority within seven days.

- Any promotional material and/or website home page used as part of the business operating under this licence shall clearly state the premises licence number. For the avoidance of doubt, this includes flyers, leaflets and business cards promoting the business.

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: 249243
Name: Openshaw Mini Market
Address: 1302 Ashton Old Road, Manchester, M11 1JG
Ward: Clayton & Openshaw
Application Type: Premises Licence (new)
Name of Applicant: Bilal Ashraf
Date of application: 02 September 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 Sunday 8am to 11pm

Opening hours:
Monday to Sunday 8am to 11pm

Representations received

Licensing & Out of Hours
Compliance (LOOH)

LOOH state that further measures should be implemented to uphold the licensing objective the Prevention of Public nuisance. LOOH state that the premises is located on the ground floor in a unit which is positioned on a large row of commercial premises. The premises is situated on a main arterial route that leads into the city centre.
LOOH therefore recommend that in order to ensure this licence objective is met thoroughly, additional conditions are attached to the Premises Licence.

Agreements between parties

1. The area around the premises shall be cleaned at regular intervals and after the close of business.
2. No deliveries or collections shall be made to the premises between 2000 and 0700 hours.

Background documents (available for public inspection):

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

**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 12 October 2020

Subject: Aftab's, 1 Bonsall Street, Manchester, M15 6DR
App ref: Premises Licence variation 248450

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendations

That the Committee determine the application.

Wards Affected: Hulme

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

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

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: fraser.swift@manchester.gov.uk

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

Background documents (available for public inspection):

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

1. **Introduction**

- 1.1 On 21/08/2020, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of Aftab's, 1 Bonsall Street, Manchester, M15 6DR in the Hulme ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. **Current Licence**

- 2.1 The premises licence holder is Mr Naveed Anjum Younas and a copy of the current licence is attached at **Appendix 2**.

3. **The Application**

- 3.1 A copy of the application is attached at **Appendix 3**.
- 3.2 The variation request to extend the opening hours and hours for sale of alcohol (a later terminal hour each day and earlier start on Sundays). For information, the current and proposed hours are as below.

Supply of alcohol for consumption off the premises only:

Current hours: Mon to Sat 9am to 11pm, Sun 10am to 10.30pm

Proposed hours: Mon to Sat 9am to half past midnight, Sun 10am to half past midnight

Opening hours:

Current hours: Mon to Sat 9am to 11pm, Sun 9am to 10.30pm

Proposed hours: Mon to Sat 9am to half past midnight, Sun 10am to half past midnight

Removal of seasonal variations currently on the licence that restrict opening hours on Christmas Day, Good Friday and Bank Holidays

- 3.2.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 3.2.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 3**.
- 3.3 **Activities unsuitable for children**
- 3.3.1 The applicant has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
- 3.4 **Steps to promote the licensing objectives**
- 3.4.1 Information given at Part M of the application would normally be translated into conditions by the licensing authority to be included in any granted premises licence. However, the information given at Part M proposes no further steps than the existing conditions on the licence, and would not lead to any new conditions being added.

4. Relevant Representations

- 4.1 A total of 6 relevant representations were received in respect of the application (**Appendix 4**). The personal details of all members of the public have been redacted. Original copies of these representation will be available to the Committee at the hearing.

Responsible Authorities:

- Greater Manchester Police x 2 (Central Licensing and local policing team);
- MCC Licensing and Out of Hours Compliance Team;

Other Persons:

- Ward Councillor
- Residents x 2

- 4.2 Summary of the representations:

| Party | Grounds of representation | Recommends |
|-------------------------------------|--|-------------------|
| GMP (Local Policing Team) | This objection raises concerns that the variation, if granted, will lead to “an increase in Anti-social behaviour within a residential area. Local tensions are already in a heightened state and can see this variation causing members of our community extra stress and cause an increase in demand from GMP services at a time where we are already stretched.” In addition: “Students will start to return to the city | Not stated |

| | | |
|--|--|------------|
| | of Manchester soon which in itself will bring an increase in demand for our services. The variation of hours will also move into a time period which has reduced staffing from GMP and can see demand causing issues with staff attending incidents depending on their severity.” | |
| GMP (Central Licensing) | The Central Licensing Team reiterates the concerns raised by the Local Policing Team above, and recommends that the application is refused. | Refuse |
| Licensing and Out of Hours Compliance | <p>This representation describes the area as “highly residential”, which the premises itself being in a block of apartments, in close proximity to numerous student accommodation buildings, and near to the University of Manchester campus. Given this, “consideration must be given to the impact of nearby residents when customers arrive and leave the premises late at night”</p> <p>The LOOHT have concerns that the prevention of public nuisance licensing objective will be undermined should the application be granted. Specific concerns are that:</p> <ul style="list-style-type: none"> • The majority of customers are likely to walk through surrounding streets. Noise disturbance and anti-social behaviour may arise, especially from intoxicated customers during the later hours. • The premises could become a destination for people to purchase alcohol when leaving the city centre during the later hours, leading to an increase in traffic and noise disturbance from stopping taxis and vehicles • Proposals in part M of the application are not sufficient to promote or uphold the licensing objectives | Refuse |
| Ward Member | Councillor Igbon makes representation also on behalf of Councillor Wright. The concern raised is that “this is a residential area with families, elderly and students. It is an area of asb through noise, theft from person, drunken students causing distress to other residents. Extending the hours would have a negative impact on the community and add to additional pressure to services.” | Not stated |
| Resident 1 | This resident states that the variation, if granted, will lead to “significant disruption to our lives and | Refuse |

| | | |
|------------------|--|------------|
| | <p>the lives of our neighbours” and will lead to an increase in the already “significant levels of noise and disruption from visitors to the shop late at night and especially during university term time”</p> <p>The comment is made that the “application takes zero account of the disruption it will cause to us as residents.”</p> <p>Further concerns are that:</p> <ul style="list-style-type: none"> • The disturbance leads to sleep disruption; and • The proposed hours (and the current hours) are later than those permitted at a comparable local store | |
| Resident2 | <p>This resident again comments that they “already put up with significant levels of noise and anti-social behaviour from visitors to the shop late at night, particularly students during university term time” and adds that “this often involves large groups drinking in the street outside the shop even though this area is a no-alcohol zone, shouting, playing music and disrupting traffic.”</p> <p>Existing nuisance from the premises causes sleep disruption, later hours will add to the existing problems.</p> | Not stated |

4.3 No conditions have been proposed by objectors.

5. Key Policies and Considerations

5.1 Legal Considerations

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

5.2 New Information

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

5.3 Hearsay Evidence

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

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

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

5.5 **Manchester Statement of Licensing Policy**

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

Section 6: What we aim to encourage

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

- Premises that will extend the diversity of entertainment and attract a wider range of participants
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives

- National cultural institutions, global sports events and cultural festivals
- Non-drink-led premises, including restaurants, cafes, theatres and cinemas
- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application
- Participation in Pubwatches, off licence forums and other crime-reduction partnerships
- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

Section 7: Local factors

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

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

- Evidence of pre-existing problems in the area
- Proximity of takeaways and off-licences to nightlife entertainment areas
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance

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

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

MS2 Effective general management of the premises

MS8 Prevent noise nuisance from the premises

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

6. Conclusion

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

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Aftab's
1 Bonsall Street, Manchester, M15 6DR

Premises Licensing
Manchester City Council

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Survey100019568.



Image capture: Jul 2019 © 2020 Google United Kingdom

| | |
|-------------------------|---------------------------------------|
| PREMISE NAME: | Aftab's |
| PREMISE ADDRESS: | 1 Bonsall Street, Manchester, M15 6DR |
| WARD: | Hulme |
| HEARING DATE: | 12/10/2020 |



MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

| | |
|--------------------------------|-----------|
| Premises licence number | 051800 |
| Granted | 3/11/2005 |

Part 1 - Premises details

| | |
|-------------------------------------|-----------------------------|
| Name and address of premises | |
| Aftab's 1 Bonsall Street, Hulme | |
| Post town Manchester | Post code M15 6DR |
| Telephone number | |

Licensable activities authorised by the licence

1. The sale by retail of alcohol*.

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

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol

| Standard timings | | | Seasonal variations |
|----------------------|------------|-------------|--|
| Monday: | Start 0900 | Finish 2300 | Good Friday 1000 to 2230 |
| Tuesday: | Start 0900 | Finish 2300 | Bank Holidays 1000 to 2230 |
| Wednesday: | Start 0900 | Finish 2300 | Christmas Day 1200 to 1500 and 1900 to 2230 |
| Thursday: | Start 0900 | Finish 2300 | On/off supplies |
| Friday: | Start 0900 | Finish 2300 | The sale of alcohol is licensed for consumption off the premises only. |
| Saturday: | Start 0900 | Finish 2300 | Further details |
| Sunday: | Start 1000 | Finish 2230 | None. |
| Non-Standard Timings | | | |
| None | | | |

| Hours premises are open to the public | | | |
|---------------------------------------|------------|-------------|---------------------------------|
| Standard timings | | | Seasonal variations |
| Monday: | Start 0900 | Finish 2300 | Bank Holidays 0900 to 2230 |
| Tuesday: | Start 0900 | Finish 2300 | |
| Wednesday: | Start 0900 | Finish 2300 | Further details None. |
| Thursday: | Start 0900 | Finish 2300 | |
| Friday: | Start 0900 | Finish 2300 | |
| Saturday: | Start 0900 | Finish 2300 | |
| Sunday: | Start 0900 | Finish 2230 | |
| Non-Standard Timings | | | |
| None | | | |

Part 2

| Name, (registered) address, telephone number and email (where relevant) of holder of premises licence |
|---|
| Mr Naveed Anjum Younas |

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

| Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol |
|--|
| Mr Naveed Anjum Younas |

| 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: LIA050364 Issuing Authority: Manchester City Council |

Annex 1 – Mandatory conditions

Door Supervisors

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

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

Supply of alcohol

No supply of alcohol may be made under this premises licence:

- a) At a time when there is no designated premises supervisor in respect of the premises licence or,
- b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

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

Annex 2 – Conditions consistent with the operating schedule

1. An effective and adequate CCTV system equipped with a recording facility shall be installed, maintained and operated at the premises
2. Notices will be displayed on the premises stating that shoplifters will be prosecuted.
3. The licence holder will liaise with an officer of Greater Manchester Police with regards to reducing crime and disorder and ensuring public safety within the premises and act on any recommendation promptly.
4. Effective lighting shall be maintained and operated on all internal and external aspects of the premises
5. An adequate number of litterbins are to be located outside the premises.
6. The management and staff will ensure that the premises and the area immediately surrounding the exterior of the premises are cleaned on a regular basis and remain free from debris and litter.
7. Monitor the number of youths congregating in the vicinity of the premises and contact the police if necessary.

8. A recognised proof of age policy, for example the Proof of Age Standards Scheme shall be implemented, maintained and enforced at the premises. Notices of such a scheme will clearly be displayed on the premises.
9. There shall be a policy in respect of underage smoking and drinking at the premises.

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

- | |
|--|
| 1. Staff to ensure customers do not congregate outside the premises. |
|--|

| |
|------------------------|
| Annex 4 – Plans |
|------------------------|

| |
|---------------|
| See attached. |
|---------------|

Issued by

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

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

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MANCHESTER
CITY COUNCIL

Send completed application form to:

Premises Licensing
Manchester City Council
Level 2 Town Hall Extension
Albert Square
PO Box 532, M60 2LA

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We NAVEED YOUNAS
(Insert name(s) of applicant)

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

Premises licence number

051800

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

AFTABS CONVENIENCE STORE
1 BONSCALL STREET
HOLME

Post town

MANCHESTER

Postcode

M156DR

Telephone number at premises (if any)

[REDACTED]

Non-domestic rateable value of premises

£ 2994 (6000)

Part 2 – Applicant details

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

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes☐ No

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

| | | |
|----|----|------|
| DD | MM | YYYY |
| | | |

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

VARIATION APPLICATION
 FOR THE TIME ALTERATION OF
 CLOSING BUSINESS HOURS
 INCLUDING THE
 SALE OF ALCOHOL.

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

| |
|--|
| |
|--|

Part 4 Operating Schedule

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

Provision of regulated entertainment**Please tick all that apply**

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

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

Sale by retail 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 6) | | | Will the supply of alcohol be for consumption – please tick (please read guidance note 7) | On the premises | <input type="checkbox"/> |
| | | | | Off the premises | <input checked="" type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) | | |
| Mon | 9.00 | 0.30 | | | |
| Tue | 9.00 | 0.30 | | | |
| Wed | 9.00 | 0.30 | | | |
| Thur | 9.00 | 0.30 | <u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Fri | 9.00 | 0.30 | | | |
| Sat | 9.00 | 0.30 | | | |
| Sun | 10.00 | 0.30 | | | |

K

| |
|--|
| <p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).</p> |
|--|

L

| | | | |
|---|-------|--------|--|
| Hours premises are open to the public Standard days and timings (please read guidance note 6) | | | <u>State any seasonal variations</u> (please read guidance note 4) |
| Day | Start | Finish | |
| Mon | 9.00 | 0.30 | <u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5) |
| Tue | 9.00 | 0.30 | |
| Wed | 9.00 | 0.30 | |
| Thur | 9.00 | 0.30 | |
| Fri | 9.00 | 0.30 | |
| Sat | 9.00 | 0.30 | |
| Sun | 10.00 | 0.30 | |

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

Please tick as appropriate

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

☒☐

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

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

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

AFTAB CONN. STORE HAS BEEN OPERATING UNDER SAME MANAGEMENT FOR THE LAST TEN YEARS OR SO.

b) The prevention of crime and disorder

WELL KNOWN IN THE COMMUNITY HARDLY ANY CRIME OR DISORDER ON, OFF AND THE SURROUNDING OF THE PREMISES. CCTV IN OPERATION.

c) Public safety

PUBLIC SAFETY IS TOP PRIORITY CCTV IS IN OPERATION 24 HOURS AND LIVE FEED IS DISPLAYED

d) The prevention of public nuisance

CUSTOMERS ARE ADVISED SO ARE THE MEMBERS OF THE COMMUNITY NO NUISANCE IS ALLOWED

e) The protection of children from harm

NO HARM HAS EVER BEEN CAUSED UNDER MY MANAGEMENT FOR OVER A DECADE OR SO. WE WILL MAINTAIN OUR METHOD OF PROTECTION FOR THE CHILDREN

Checklist:

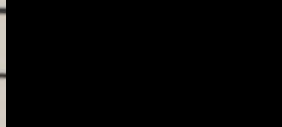
Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

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

Part 5 – Signatures (please read guidance note 10)

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

| | |
|-----------|--|
| Signature |  |
| Date | 11/8/20 |
| Capacity | APPLICANT |

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

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

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

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GREATER MANCHESTER POLICE - REPRESENTATION

About You

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

About the Premises

| | |
|--|--------------------------------------|
| Application Reference No. | LPV 248450 |
| Name of the Premises | Aftab's |
| Address of the premises including postcode | 1 Bonsall Street, Manchester M15 6DR |
| | |

Your Representation

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

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

The local policing team has raised concerns that if this variation was granted it would have detrimental impact on the local area. The local GMP Sergeant Adam Latimer states " **I am the neighbourhood Sergeant for Moss side / Hulme and the Universities of Manchester, based at Greenheys Police station. I fear that the variation will see an increase in Anti-social behaviour within a residential area. Local tensions are already in a heightened state and I can see this variation causing members of our community extra stress and cause an increase in demand from GMP services at a time where we are already stretched.**

Students will start to return to the city of Manchester soon which in itself will bring an increase in demand for our services. The variation of hours will also move into a time period which has reduced staffing from GMP and can see demand causing issues with staff attending incidents depending on their severity. "

We therefore ask that this application is refused.

From: <Adam.Latimer@gmp.police.uk>
Date: Tue, 25 Aug 2020 at 11:37
Subject: FW: Premises Licence variation 248450/HH1: Aftab's, 1 Bonsall Street, Manchester, M15 6DR, (Hulme ward)
To: <premises.licensing@manchester.gov.uk>
Cc: <Alan.Isherwood@gmp.police.uk>, <cllr.l.igbon@manchester.gov.uk>, [REDACTED]

Licensing team

I have reviewed this variation of hours application for Aftab's and wish to make a formal objection to this request. I am the neighbourhood sergeant for Moss side / Hulme and the Universities of Manchester based at Greenheys police station. My objection is that I fear that the variation will see an increase in Anti-social behaviour within a residential area. Local tensions are already in a heightened state and can see this variation causing members of our community extra stress and cause an increase in demand from GMP services at a time where we are already stretched.

Students will start to return to the city of Manchester soon which in itself will bring an increase in demand for our services. The variation of hours will also move into a time period which has reduced staffing from GMP and can see demand causing issues with staff attending incidents depending on their severity.

I do not foresee any benefit locally from this request and it is on these grounds I wish to make this objection.

Regards

PS Latimer

LPT4

Central District

Greenheys police station

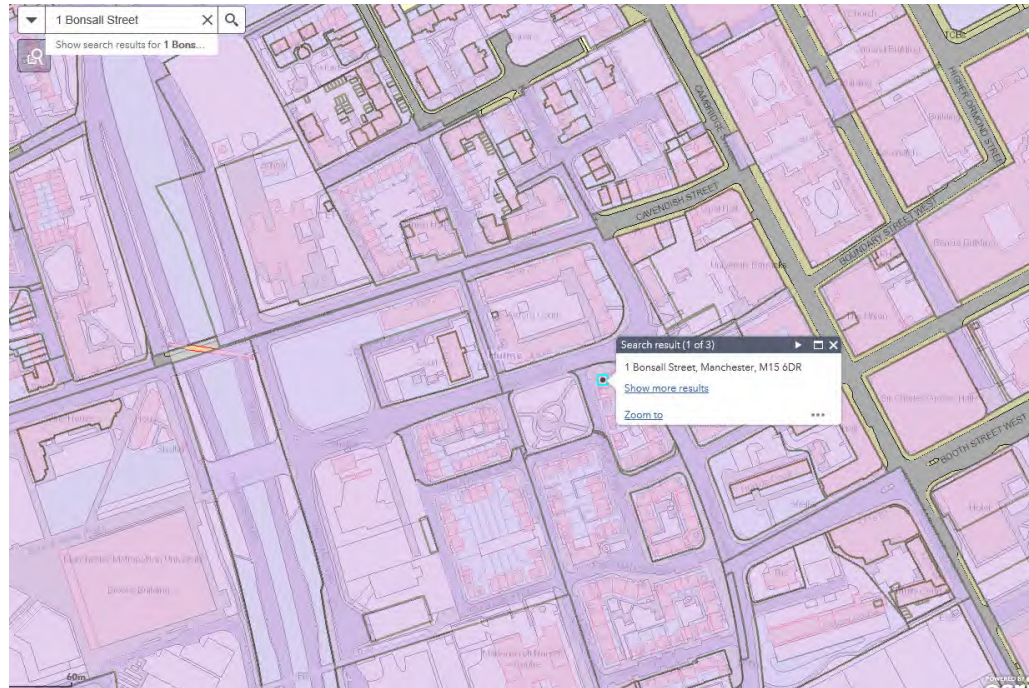
| | |
|---|---|
|  MANCHESTER CITY COUNCIL | |
| Licensing & Out of Hours Compliance Team - Representation | |
| Name | Mitchell Ward |
| Job Title | Neighbourhood Compliance Officer |
| Department | Licensing and Out of Hours Compliance Team |
| Address | Level 1, Town Hall Extension, Manchester, M60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

| | |
|------------------------|---------------------------------------|
| Premise Details | |
| Application Ref No | 248450 |
| Name of Premises | Aftab's |
| Address | 1 Bonsall Street, Manchester, M15 6DR |

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|------------|-------------|-------------|----------|------------|-------------|------------|------------|-------------|-----------|------------|-------------|---------|------------|-------------|-----------|------------|-------------|---------|------------|-------------|---------|------------|-------------|----------|------------|-------------|------------|------------|-------------|-----------|------------|-------------|---------|------------|-------------|-----------|------------|-------------|---------|------------|-------------|
| Representation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.</p> <p>The Licensing and Out of Hours Team (LOOHT) team have assessed the likely impact of the grant of this application taking into account a number of factors, including the nature of the area in which the premises is located and any potential risk the granting of this licence could lead to issues of public nuisance.</p> <p>LOOHT have given particular consideration to Manchester City Council's Statement of Licensing Policy, specifically s.7.25 in that the licensing authority will ensure that due consideration will be given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises; as well as s.7.26 Where premises are in the direct vicinity of local residential properties, and where its discretion is engaged, the authority will give particular consideration to measures proposed in the application in relation to prevent nuisance. Also s.7.28 in that the licensing authority will give consideration to the appropriateness of hours applied for, having regard for the location of premises and their likely effect of the promotion of the four Licensing Objectives.</p> <p>The applicant is an established shop who currently operates with Sale by retail of Alcohol and open to the public for the following hours:</p> <table border="0"> <tr> <td>Monday:</td> <td>Start 0900</td> <td>Finish 2300</td> </tr> <tr> <td>Tuesday:</td> <td>Start 0900</td> <td>Finish 2300</td> </tr> <tr> <td>Wednesday:</td> <td>Start 0900</td> <td>Finish 2300</td> </tr> <tr> <td>Thursday:</td> <td>Start 0900</td> <td>Finish 2300</td> </tr> <tr> <td>Friday:</td> <td>Start 0900</td> <td>Finish 2300</td> </tr> <tr> <td>Saturday:</td> <td>Start 0900</td> <td>Finish 2300</td> </tr> <tr> <td>Sunday:</td> <td>Start 1000</td> <td>Finish 2230</td> </tr> </table> <p>This application is for an extension of the hours as follows:</p> <table border="0"> <tr> <td>Monday:</td> <td>Start 0900</td> <td>Finish 0030</td> </tr> <tr> <td>Tuesday:</td> <td>Start 0900</td> <td>Finish 0030</td> </tr> <tr> <td>Wednesday:</td> <td>Start 0900</td> <td>Finish 0030</td> </tr> <tr> <td>Thursday:</td> <td>Start 0900</td> <td>Finish 0030</td> </tr> <tr> <td>Friday:</td> <td>Start 0900</td> <td>Finish 0030</td> </tr> <tr> <td>Saturday:</td> <td>Start 0900</td> <td>Finish 0030</td> </tr> <tr> <td>Sunday:</td> <td>Start 1000</td> <td>Finish 0030</td> </tr> </table> | Monday: | Start 0900 | Finish 2300 | Tuesday: | Start 0900 | Finish 2300 | Wednesday: | Start 0900 | Finish 2300 | Thursday: | Start 0900 | Finish 2300 | Friday: | Start 0900 | Finish 2300 | Saturday: | Start 0900 | Finish 2300 | Sunday: | Start 1000 | Finish 2230 | Monday: | Start 0900 | Finish 0030 | Tuesday: | Start 0900 | Finish 0030 | Wednesday: | Start 0900 | Finish 0030 | Thursday: | Start 0900 | Finish 0030 | Friday: | Start 0900 | Finish 0030 | Saturday: | Start 0900 | Finish 0030 | Sunday: | Start 1000 | Finish 0030 |
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| Tuesday: | Start 0900 | Finish 2300 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Sunday: | Start 1000 | Finish 2230 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Sunday: | Start 1000 | Finish 0030 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

The LOOHT have concerns the prevention of public nuisance licensing objective will be undermined due to the supply of alcohol until 0030 throughout the week.

The premises is situated within a highly residential area within Hulme. The premises itself is situated at the bottom of a block of apartments. Furthermore the premises is in close proximity to numerous student accommodation buildings and also nearby is the University of Manchester campus on Oxford Road.



As per the attached image it is clear that the premises is situated within a highly residential area. Therefore consideration must be given to the impact of nearby residents when customers arrive and leave the premises late at night, especially given in a neighbourhood ward of the city. The premises is likely to serve for customers returning to student accommodation. Therefore it is expected the majority shall walk through the surrounding streets in order to arrive at the premises. LOOHT have concerns that noise disturbance and anti-social behaviour may arise especially from intoxicated customers during the later hours. The premises is also situated relatively close proximity to the city centre prompting concerns the premises may become a destination for people to purchase alcohol when leaving the city centre during the later hours. Therefore there will likely be an increase in traffic and further noise disturbance from stopping taxis and vehicles into the later hours.

Section M of the application allows the applicant to state how they propose to uphold and promote the licensing objectives. LOOHT have given consideration to the conditions offered to mitigate the concerns raised from the Licensing Policy Sections. However, the LOOHT feel the conditions offered alongside the hours applied for will not uphold or promote the licensing objectives. It is likely that the granting of this application will give rise to public nuisance for local residents.

The Licensing and Out of Hours Team therefore ask that the application to extend the hours for supply of alcohol is refused.

Recommendation:

Refuse Application

From: **Councillor Lee-Ann Igbon** <cllr.l.igbon@manchester.gov.uk>
Date: Tue, 25 Aug 2020 at 13:01
Subject: Re: Premises Licence variation 248450/HH1: Aftab's, 1 Bonsall Street, Manchester, M15 6DR, (Hulme ward)
To: <hulmemailinglist+managers@manchester.gov.uk>
Cc: Councillor Annette Wright <cllr.annette.wright@manchester.gov.uk>

Hi

Cllr Wright and myself would like to object to the change of hours of closing. This is a residential area with families, elderly and students. It is an area of asb through noise, theft from person, drunken students causing distress to other residents.

Extending the hours would have a negative impact on the community and add to additional pressure to services.

Kind regards

Cllr Lee-Ann Igbon
Hulme ward
Members Services
Manchester City Council
Town Hall
Manchester
M60 2LA
07908759042
cllr.l.igbon@manchester.gov.uk

From: [REDACTED]
 Date: Sun, 6 Sep 2020 at 09:49
 Subject: Reference: 248450/HH1
 To: <premises.licensing@manchester.gov.uk>

Dear Sir/Madam

On the way to work this morning I noticed an application on the door of Aftab's Shop, 1 Bonsall Street. The owner, Mr Younas has applied to the licencing office to extend his opening hours up to 00:30hrs Monday to Sunday for the sale of alcohol. The shop currently holds a licence Monday to Saturday up to 23:00hrs and Sunday 22:30hrs.

We live [REDACTED] and if the application is approved it will cause significant disruption to our lives and the lives of our neighbours. There is simply no justification for this other than financial reward for Mr Younis. There will be no benefit to residents or the area.

The shop sits [REDACTED] the homes of long-standing residents of Hulme and we already put up with significant levels of noise and disruption from visitors to the shop late at night and especially during university term time. Indeed, Mr Younis has also been the cause of anti-social behaviour previously resulting in formal complaints to environmental health and Guinness Housing Association who lease the premises to him.

In this area of Hume we are surrounded by student accommodation, all of which will be filled over the coming weeks. This application has been well timed to take advantage of the increase in foot fall as it sits directly in the path of the student's union, Birley Fields Campus, Oxford Court and Brierfield Hall. However, the application takes zero account of the disruption it will cause to us as residents. My partner and I work long hours and like everyone else need sleep to provide an effective level of service to our employers and pay our way in life. As it stands now, we cannot expect to sleep before 23:00hrs until the shop has been closed so just imagine the impact it will have on us if this application is approved.

I would suggest the area already has sufficient numbers of licenced retailers to satisfy demand. The store most similar in size to Aftab's would be, Go Local on Stretford Road. That store also [REDACTED] resident flats however it only has a licence up to 22:00hrs. This makes it even more difficult to understand why Aftab's was ever granted a licence to 23:00hrs let alone one that will allow them to remain open until 00:30hrs seven days a week.

If I recall correctly Mr Younis has previously applied to extend his opening hours beyond midnight but that was rejected. Hopefully we can expect a similar outcome this time.

I hope you will support us in rejecting this application.

Kind regards

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Date: Wed, 9 Sep 2020 at 19:41
Subject: Reference: 248450/HH1
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>

Good evening

Regarding Aftabs application to extend opening hours and hours for sale of alcohol - ref 248450/HH1 link below:

[https://secure.manchester.gov.uk/info/200063/licences_and_permissions/2664/hulme -
_current_licence_applications/2](https://secure.manchester.gov.uk/info/200063/licences_and_permissions/2664/hulme_-_current_licence_applications/2)

We live [REDACTED] and we already put up with significant levels of noise and anti-social behaviour from visitors to the shop late at night, particularly students during university term time. This often involves large groups drinking in the street outside the shop even though this area is a no-alcohol zone, shouting, playing music and disrupting traffic.

As it is we are not able to sleep before the shop closes at 11 pm because of the noise and if this application is approved it will only cause further disruption to our sleep and working lives as well as those of our neighbours.

I therefore object to the application on the grounds that it will encourage more public nuisance and anti-social behaviour.

Regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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

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Manchester City Council Report for Resolution

Report to: Licensing Subcommittee Hearing Panel – 12 October 2020

Subject: Karibu, 911 Ashton New Road, Manchester, M11 4PB - App ref: Premises Licence (new) 248967

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: Clayton & Openshaw

| 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 | |

| | |
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| 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: Ashia Maqsood
Position: Technical Licensing Officer
Telephone: 0161 234 4139
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 20/08/2020, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Karibu, 911 Ashton New Road, Manchester, M11 4PB in the Clayton & Openshaw 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 Karikumutima Ponga Nyanzira.
- 2.3 The description of the premises given by the applicant is: restaurant/ bar, with the sale of alcohol for consumption on the premises, and late night refreshment
- 2.4 The proposed designated premises supervisor is Karikumutima Ponga Nyanzira

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

Provision of late night refreshment: indoors

Monday to Thursday 11pm to 12am

Friday to Sunday 11pm to 2am

The supply of alcohol for consumption on the premises only:

Monday to Thursday 1pm to 12am

Friday to Sunday 1pm to 2am

Opening hours:

Monday to Thursday 1pm to 12.30am

Friday to Sunday 1pm to 2.30am

- 2.5.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 2.5.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.
- 2.6 **Activities unsuitable for children**
- 2.6.1 The applicant has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
- 2.7 **Steps to promote the licensing objectives**
- 2.7.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule in **Appendix 2**
- 2.7.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 4**.
- 2.8 **Further documentation accompanying the application**
- 2.8.1 The applicant has not submitted further documents in support of their application.
3. **Relevant Representations**
- 3.1 A total of 10 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.
- 3.2 Summary of the representations:

| Party | Grounds of representation | Recommends |
|------------|---|------------|
| GMP | <p>GMP object to the premises licence application on the grounds that the granting of the licence will undermine the licensing objectives the Prevention of Crime and Disorder and the Prevention of Public Nuisance.</p> <p>GMP state that the premises is situated in close proximity to residential properties and GMP are concerned that the lateness of the hours requested will almost certainly cause a noise disturbance residents. GMP further state</p> | Refuse |

| | | |
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| | that the proposed weekend hours in particular are more in keeping with a City centre premises and although the application states that the premises is a restaurant and bar, there would be nothing to stop the premises operating primarily as a bar. | |
| Licensing and Out of Hours Compliance (LOOH) | <p>LOOH have objected to the application based on the grounds that the premises is in the direct vicinity of local residential properties, and that the licensing objectives will not be upheld with the proposals offered by the applicant.</p> <p>LOOH further state that the applicant has given little regard to nearby residents or to how they can promote the licensing objective, the prevention of public nuisance by offering very few conditions, failing to address potential issues that patrons may cause whilst directly congregating outside, smoking, and leaving the premises in the early hours.</p> <p>LOOH state the applicant has also failed to advise if the premise will discourage customers from vertical drinking. LOOH state that this leads to further concerns coupled with the granting of the late hours applied for. There are concerns that the venue could convert into a late night drinking destination which would create a strong likelihood for public nuisance.</p> | Grant with conditions and with a reduction in operating hours |
| Residents (x8) | Residents have objected to the application based on the grounds that the area is afflicted with anti-social behaviours, parking issues and premises which are not adhering to covid-19 social distancing regulations. Residents state that as the area is saturated with similar licenced premises and that the addition of a new licenced premises will further exacerbate the problems faced by residents. | Refuse |

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

3.4 No Agreements on conditions have been reached with the objectors

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 **New Information**

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

4.3 **Hearsay Evidence**

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

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

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

4.5 **Manchester Statement of Licensing Policy**

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

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

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

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

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

This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be appropriate to apply in every situation to every premises, and applicants are not obliged to include all standards in their operating schedule. The degree to which standards would be appropriate is expected to be proportionate to the risk posed against the promotion of the licensing objectives having regard to

the individual circumstances of the premises. The standards are not exhaustive and the licensing authority will have regard to any relevant issues raised in any representation that may fall outside them.

- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS4 Prevent the use of illegal drugs, new psychoactive substances (NPS) and the spiking of drinks at the premises
- 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

Conclusion

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

- 4.9 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 4.10 All licensing determinations should be considered on the individual merits of the application.
- 4.11 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 4.12 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 4.13 **The Panel is asked to determine the application**

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| | |
|-------------------------|--|
| PREMISE NAME: | Karibu |
| PREMISE ADDRESS: | 911 Ashton New Road, Manchester, M11 4PB |
| WARD: | Clayton & Openshaw |
| HEARING DATE: | 12/10/2020 |

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Karikumutima Ponga Nyanzira

(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 | | | |
| Karibu Restaurant 911 Ashton New Road | | | |
| Post town | Manchester | Postcode | M11 4PB |

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

Part 2 - Applicant details

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

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

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

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

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

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

| | | | | | |
|--|------------------------------|---|-----------------------------------|--------------------------------|------------|
| Mr <input checked="" type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname Nyanzira | | | First names Karikumutima Ponga | | |
| Date of birth [REDACTED] | | 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] [REDACTED] [REDACTED] | | | |
| Post town | [REDACTED] | | | Postcode | [REDACTED] |
| Daytime contact telephone number | | [REDACTED] | | | |
| E-mail address (optional) | | | | | |

SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | | | |
|-----------------------------|------------------------------|-------------------------------|-----------------------------|--------------------------------|--|
| Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
|-----------------------------|------------------------------|-------------------------------|-----------------------------|--------------------------------|--|

| | | | |
|--|--|----------------------|--|
| Surname | | First names | |
| Date of birth over | | I am 18 years old or | <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) | | | |

(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 | | | |
|----|---|----|---|------|---|---|---|
| 1 | 7 | 0 | 9 | 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 | | | |
|----|--|----|--|------|--|--|--|
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Please give a general description of the premises (please read guidance note 1)
 The premises is to trade as a restaurant/ bar, with the sale of alcohol for consumption on the premises, and late night refreshment to allow the sale of hot food beyond 23:00 hours.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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



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



In all cases complete boxes K, L and M

A

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|---|-------|--------|---|----------|--------------------------|
| Plays Standard days and timings (please read guidance note 7) | | | <u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 4) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | <u>State any seasonal variations for performing plays</u> (please read guidance note 5) | | |
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| Thur | | | | | |
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| Fri | | | <u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
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| 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 | | | | | |
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| Tue | | | <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5) | | |
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| Wed | | | <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) | | |
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| Indoor sporting events Standard days and timings (please read guidance note 7) | | | <u>Please give further details</u> (please read guidance note 4) |
| Day | Start | Finish | |
| Mon | | | |
| Tue | | | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5) |
| Wed | | | |
| Thur | | | |
| Fri | | | <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) |
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| Boxing or wrestling entertainments Standard days and timings (please read guidance note 7) | | | <u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 4) | | |
| Mon | | | | | |
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| Tue | | | | | |
| | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5) | | |
| Wed | | | | | |
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| Thur | | | | | |
| | | | <u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
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| Live music Standard days and timings (please read guidance note 7) | | | <u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 4) | | |
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| Wed | | | <u>State any seasonal variations for the performance of live music</u> (please read guidance note 5) | | |
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| 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) | | |
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| Recorded music Standard days and timings (please read guidance note 7) | | | <u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 4) | | |
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| Wed | | | <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) | | |
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| Fri | | | <u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
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| Performances of dance Standard days and timings (please read guidance note 7) | | | <u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 4) | | |
| Mon | | | | | |
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| 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) | | |
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|--|-------|--------|--|----------|--------------------------|
| 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 | | | | | |
| | | | <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) | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | <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) | | |
| | | | | | |
| Sat | | | | | |
| 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 | Please give further details here (please read guidance note 4) To allow the sale of hot food to continue beyond 23:00 hours when open. And to allow the sale of hot food for takeaway. | | |
| Mon | 23:00 | 24:00 | | | |
| | | | | | |
| Tue | 23:00 | 24:00 | | | |
| | | | State any seasonal variations for the provision of late night refreshment (please read guidance note 5) | | |
| Wed | 23:00 | 24:00 | | | |
| | | | | | |
| Thur | 23:00 | 24:00 | | | |
| | | | Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6) | | |
| Fri | 23:00 | 02:00 | | | |
| | | | | | |
| Sat | 23:00 | 02:00 | | | |
| | | | | | |
| Sun | 23:00 | 02:00 | | | |
| | | | | | |

J

| | | | | | | |
|---|-------|--------|---|------------------|-------------------------------------|--|
| Supply of alcohol Standard days and timings (please read guidance note 7) | | | Will the supply of alcohol be for consumption – please tick (please read guidance note 8) | On the premises | <input 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) n/a | | | |
| Mon | 13:00 | 24:00 | | | | |
| | | | | | | |
| Tue | 13:00 | 24:00 | | | | |
| | | | | | | |
| Wed | 13:00 | 24:00 | | | | |
| | | | | | | |
| Thur | 13:00 | 24:00 | | | | 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 |
| | | | | | | |
| Fri | 13:00 | 02:00 | | | | |
| | | | | | | |
| Sat | 13:00 | 02:00 | | | | |
| | | | | | | |
| Sun | 13:00 | 02:00 | | | | |
| | | | | | | |

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

| | |
|---|--|
| Name: Karikumutima Ponga Nyanzira | |
| Date of birth | |
| <div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 150px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100px; height: 15px;"></div> | |
| Postcode | <div style="background-color: black; width: 100px; height: 15px;"></div> |
| Personal licence number (if known) Not yet issued | |
| Issuing licensing authority (if known) | |

K

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

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

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

b) The prevention of crime and disorder

CCTV will be use at the premises, it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police.

The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards.

The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority. The correct time and date will be generated onto both the recording and the real time image screen.

If the CCTV equipment (Including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified.

The premises Licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority or a constable.

There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during all trading hours.

The DPS will keep an up to date DPS Authorisation sheet which will show the list of staff members who have been given the authority to sell alcohol on the premises.

An incident record will be kept in a bound book, as will all refusals for the sale of alcohol. These books will be made available to the police and officer from the council on request.

c) Public safety

Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police. All relevant fire procedures are in place for a premises of this size. An on -site accident book will be in operation to record any accident/ injury incurred on the premises. This document will be retained for inspection by the store for a period of three years.

d) The prevention of public nuisance

Customers will be reminded by way of a notice at the entrance/ exit door to please leave the premises quietly and have consideration for any neighbouring residential properties, when leaving late in the evening.

e) The protection of children from harm

Only photographic ID is accepted (passport, driving licence, proof of age card with PASS hologram, or military ID). Anyone who appears to be under the age of 25 is challenged to provide ID. If the customer is unable to provide identification then no sale is made. No ID no sale. Challenge 25 POS will be on display in the store. Any staff member who may be under the age of 18 must call a senior staff member to take over the sale and complete the transaction. If it is known that a customer intends to purchase alcohol to provide to minors then that sale will be refused. All refused sales will be recorded in a refusals book, which will be made available for inspection by Police or Licensing Officers of the council on request

Checklist:**Please tick to indicate agreement**

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


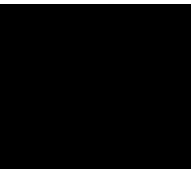

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF

THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

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

| | |
|---|--|
| Declaration  | <ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15) |
| Signature |   |
| Date | 19/08/2020 |
| Capacity | Licence Agent |

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

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

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

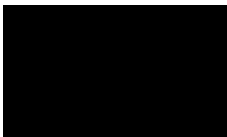
Notes for Guidance

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

Consent of individual to being specified as premises supervisor

I Karikumutima Ponga Nyanzira

[full name of prospective premises supervisor]

Of 

[home address of prospective premises supervisor]

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

A Premises Licence for Consumption on the Premises

[type of application]

by

Karikumutima Ponga Nyanzira

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

Karibu Restaurant
911 Ashton New Road
M11 4PB

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

Karikumutima Ponga Nyanzira

[name of applicant]

concerning the supply of alcohol at

Karibu Restaurant
911 Ashton New Road
M11 4PB

[name and address of premises to which application relates]

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

Personal licence number

Not yet issued

[insert personal licence number, if any]

Personal licence issuing authority

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

Signed



Name (please print)

Karikumutima Ponga Nyanzira

Date

19/08/2020

GREATER MANCHESTER POLICE - REPRESENTATION

About You

| | |
|----------------------------|---|
| Name | PC Alan Isherwood |
| Address including postcode | 1 st Floor Manchester Town Hall Extension Lloyd Street Manchester |
| Contact Email Address | [REDACTED] |
| Contact Telephone Number | [REDACTED] |

About the Premises

| | |
|--|---|
| Application Reference No. | LPA 248967 |
| Name of the Premises | Karibu |
| Address of the premises including postcode | 911 Ashton New Road, Manchester M11 4PB |
| | |

Your Representation

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

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

The application seeks to allow the premises to sell alcohol and provide late night refreshment until 0000 hours Monday to Thursday and until 0200 hours on Friday, Saturday and Sunday with closing 30 minutes later.

The premises are situated in close proximity to residential properties and GMP are concerned that the lateness of the hours requested will almost certainly cause a noise disturbance to those persons who reside close to the premises. The proposed weekend hours in particular are more in keeping with a City centre premises and although the application states that the premises is a restaurant and bar, there would be nothing to stop the premises operating primarily as a bar.

Manchester City Council's own licensing policy states:

The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance

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

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

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

— Disturbance caused by deliveries associated with licensable activities, including waste collection.

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

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

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

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

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


7.32 Therefore, where its discretion is engaged, the authority will be mindful of the density of residential use in proximity to the premises and the level of risk of nuisance arising. The authority expects that terminal hours will normally be earlier to promote the licensing objectives for licensed premises located in areas with a higher density of residential property.

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

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

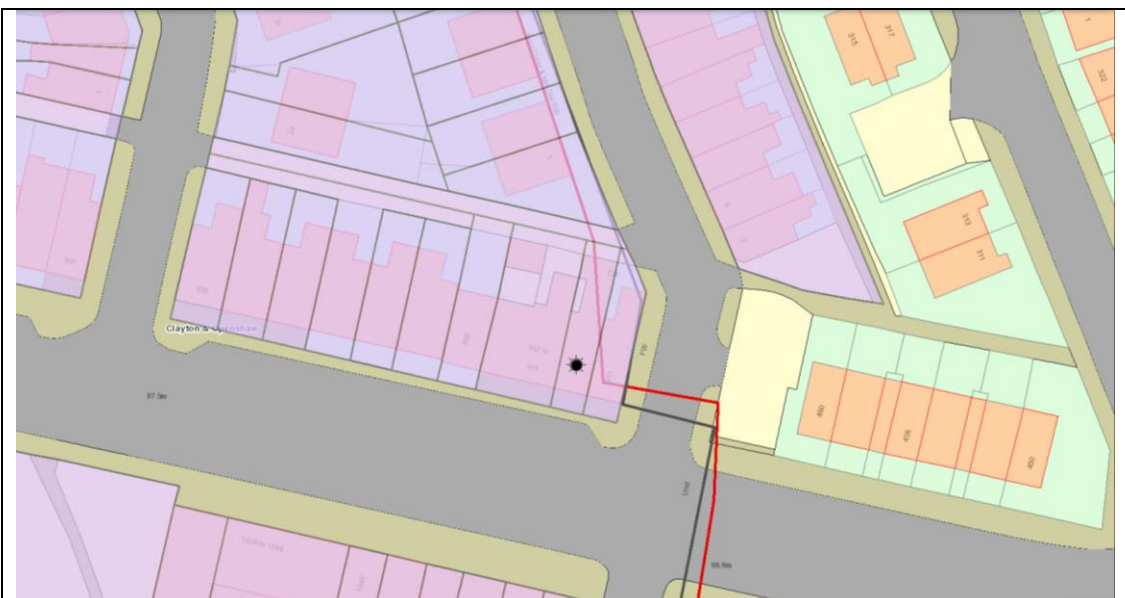
7.35 Where its discretion is engaged, the licensing authority will not consider the fact that other premises in the vicinity already have similar hours as a justification for granting similar or extended hours, and each application will be considered on its individual merits.

We therefore ask that this application is refused.

| | |
|--|---|
|  MANCHESTER CITY COUNCIL | |
| Licensing & Out of Hours Compliance Team - Representation | |
| Name | Lauren Connell |
| Job Title | Neighbourhood Compliance Officer |
| Department | Licensing and Out of Hours Compliance Team |
| Address | Level 1, Town Hall Extension, Manchester, M60 2LA |
| Email Address | [REDACTED] |
| Telephone Number | [REDACTED] |

| | |
|------------------------|--|
| Premise Details | |
| Application Ref No | REF 248967 |
| Name of Premises | Karibu |
| Address | 911 Ashton New Road, Manchester, M11 4PB |

| |
|--|
| Representation |
| <p>Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.</p> <p>The Licensing and Out of Hours Team (LOOHT) have assessed the likely impact of the grant of this new premise licence taking into account a numbers of factors, including the nature of the area in which the premises is located, the hours applied for and any potential risk that the granting of this application could lead to undermining the prevention of public nuisance as a licensing objective under the Licensing Act 2003.</p> <p>The LOOHT have also given consideration to Manchester City Council's Statement of Licensing Policy 2016 -2021, specifically:</p> <p>S7.25 in relation to the proximity of the premises to local residents and other local businesses particularly in relation to the potential for nuisance.</p> <p>'Where premises are in the direct vicinity of local residents properties, and where discretion is engaged, the authority will give particular consideration to measures proposed in the application in relation to prevent nuisance.'</p> <p>The premises is located on a busy arterial route in and out of Manchester City Centre on Ashton Old Road and is based in a heavily residential area with domestic properties above the applicant, either side, opposite and rows of terraced houses to the rear of the applicant. Please see attached map of the location in relation to the volume of nearby residential properties, the premises is the black dot:</p> |



The applicant has applied for the following:

Hours open to the public:

Monday – Thursday 1300 to 0030

Friday – Sunday 1300 to 0230

The supply of alcohol on the premises only:

Monday – Thursday 1300 to 0000

Friday – Sunday 1300 to 0200

To provide late night refreshments:

Monday – Thursday 2300 to 0000

Friday – Sunday 2300 to 0200

Section 7.26 of the Manchester City Council's Statement Licensing Policy which states that "Where premises are in the direct vicinity of local residential properties, and where its discretion is engaged, the authority will give particular consideration to measures proposed in the application in relation to prevent nuisance, such as:

- Prevention of disturbance by people outside the premises (e.g. smoking areas);
- Prevention of noise disturbance from people entering and leaving the premises (e.g. queue management, dispersal policy)

Section M of the application allows the applicant to describe the steps they will take in order to promote the licensing objectives. The applicant has given little regard to nearby residents or to how they can promote the licensing objective prevention of public nuisance by offering very few conditions, failing to address potential issues that patrons may cause whilst directly congregating outside when queuing to enter, smoking outside and leaving the premises late at night in the early hours of the morning,

Given the close proximity of the surrounding residential properties we believe the current condition offered is not sufficient to uphold the licensing objectives nor will it help to reduce the likelihood of noise nuisance from both music levels and their customers. Any noise emanating from the premises is likely to travel further into the area at the late hours applied for as there is little to no ambient noise in these early hours as traffic reduces.

Section 7.10 of the Manchester City Council's Statement Licensing Policy states "Applicants are encouraged to state in their operating schedule whenever their proposed alcohol licence is not for vertical drinking, in order that appropriate conditions can be attached to the licence. If this is not done, relevant representations may be made on the basis of a risk that the

premises will convert into a vertical drinking establishment, in which event the authority will consider whether preventive conditions are appropriate and proportionate.” In part 3 of the operating schedule the applicant has advised that “The premises is to trade as a restaurant/bar, with the sale of alcohol for consumption on the premises, and late night refreshment to allow the sale of hot food beyond 23:00 hours.” The applicant fails to advise if this establishment will discourage customers from vertical drinking. This leads to further concerns that coupled with the granting of the late hours applied for this venue could convert into a late night drinking destination which would create a strong likelihood for public nuisance.

With consideration to the Statement of Licensing Policy and to ensure the licensing objectives are upheld, LOOHT recommend the application to be approved with the following amendments to the operating schedule to allow them to:

Open to the public:

Monday – Thursday 1300 to 2230

Friday – Sunday 1300 to 0030

To supply alcohol:

Monday – Thursday 1300 to 2200

Friday – Sunday 1300 to 0000

To provide late night refreshments:

Monday – Thursday – No requirement as premises would close at 2230

Friday – Sunday 2300 to 0000

We would also request that the following conditions to be attached to the licence:

- All windows and external doors shall be kept closed between 19:00 and close, except for immediate access and egress of persons.
- The licence holder shall enter into an agreement with a taxi company to provide transport for customers. A call-back system must be operated and drivers instructed not to sound their horns when collecting customers.
- Alcohol shall only be sold to persons as ancillary to food.
- All customers shall be seated.
- Alcohol shall be supplied by waiter/waitress service only.
- Alcohol shall not be taken off the premises.
- Any person who appears intoxicated shall be refused entry to the premises.
- No glassware to be collected from the premises or to be disposed of into outside waste receptacles between 2200 and 0800.
- There shall be a documented dispersal policy, as agreed with the relevant responsible authorities, implemented at the premises and a copy lodged with the Council's Licensing Unit.
- Staff shall regularly clean (and endeavour to keep clear of litter) the area immediately in front of the premises.
- There shall be a documented smoking policy, as agreed with the Manchester City Council Environmental Health section, implemented at the premises and a copy lodged with the Council's Licensing Unit.

The Licensing and Out of Hours Team consider the conditions 'appropriate and proportionate' to uphold the licensing objectives.

Recommendation: Approve with Conditions (Outlined Above)

Resident 1

From: [REDACTED] >
Date: Sun, 23 Aug 2020 at 21:50
Subject: Disagreement letter towards alcohol license 911 Ashton New Road
To: premises.licensing@manchester.gov.uk
<premises.licensing@manchester.gov.uk>

Hi, my name is [REDACTED] and I am the owner of [REDACTED]
[REDACTED]

Today I am writing this letter to let you know that I have a strongly disagreement towards [REDACTED] Karikumutima Ponga Nyanzira who's the owner of 911 Ashton New Road M11 4PB made an application for an alcohol consumption license.

I have been living at this property for a couple months and [REDACTED]
[REDACTED] I believe that I have experienced the worst month ever. As for my job I usually finish work and arrive [REDACTED], what I expected was to arrive home and rest as I have had a long day. However, when it comes to the weekend after working extra hard, I arrive home and [REDACTED] is bombarded by the loud music and talking, laughing noises [REDACTED]. They even had social gathering outside [REDACTED] during quarantine with drinks and food everywhere.

[REDACTED] I try to settle with this situation as I understand everyone needs a little fun during this pandemic. However, if this is increased to every single week without the seeing of the end then I will be the first to make this disagreement, and I really wish that you will take my consideration seriously as I believe this will not just affect myself but the whole neighbourhood.

Many thanks, [REDACTED]
[REDACTED]

--

Resident 2

On Mon, 24 Aug 2020 at 13:35, [REDACTED] wrote:

My name is [REDACTED]
[REDACTED].

I am here writing a letter to make a complaint and disagreement towards the Alcohol license application made by the owner of 911 Ashton New Road, M11 4PB Karikumutima Ponga Nyanzira.

For the past two months, I have been seriously disturbed by the party gathering from this property. Almost every weekends they will have many people over (even during quarantine) to form social gatherings with musics and food and loud voices. I even had to buy ear plugs for this specific reason.

As I work [REDACTED], therefore I have to wake up really early in the morning, so weekends are the only time for me to take a deep rest. But because of the loud music and noises I am unable to do so, for the past two months I can almost only fall asleep after 1AM. On the license application notice it stated that the restaurant will continue to open until 2AM on Friday to Sunday, this then means my only rest days will be taken away.

Please take my consideration carefully and seriously as by approving this decision it will make a huge impact on our peaceful neighbourhood.

Kind regards,

[REDACTED]

Resident 3

From: [REDACTED]

Date: Wed, 26 Aug 2020 at 20:02

Subject: Karibu Restaurant - Ashton New Road, Clayton, Manchester, M11 4PB

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

Hi,

I Have received a notice posted through my door today, regarding the notice of application to grant an alcohol licence for 911 Ashton New Road, Clayton, Manchester M11 4PB.

I'm not too sure if this is one of many (if any) emails you receive but I am extremely concerned and grieved by this.

[REDACTED] and often have to subdue the regular parties and loud music, mixed with intoxicated people shouting and talking very loud throughout the evening, we have even had to clean up empty beer bottles and waste / smashed glass etc from the street in the past, as we have to walk through/past this after they have had their previous gatherings at this address.

There is also the issue with [REDACTED] parking space, The new premises offers very little options for parking, and this usually results in my space [REDACTED] being taken by parties visiting 911 Ashton New Road.

The proposed licence I believe is to permit the sale of alcohol upto midnight (during weekdays) and upto 02:00 at weekends. This is a great concern to my family, and my neighbours

I Please ask for the responsible parties to note my concerns while handling the licence permit application.

Please feel free to get in touch for any further information.

Thank you.

Regards

[REDACTED]

Resident 4

From: <webfeedback@manchester.gov.uk>

Date: Sat, 29 Aug 2020 at 11:12

Subject: Make representation to a licensing or gambling application

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

| Question | Response |
|---|------------|
| First name: | [REDACTED] |
| Last name: | [REDACTED] |
| Building number or name: | [REDACTED] |
| Street: | [REDACTED] |
| Area: | [REDACTED] |
| Postcode: | [REDACTED] |
| Email : | [REDACTED] |
| Application reference number: | |
| Premises name (if known) and full address this representation relates to: Karibu Restaurant, 911 Ashton New Road. Clayton, Manchester, M11 4PB | |
| 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: : Public safety | |
| 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 : This restaurant is not wanted in this area. We already have 11 food outlets in the space pf 100 yards of each other. There is already a restaurant opposite this premises that has been granted a licence with exactly the same conditions. This restaurant is breaking those terms that it was granted to open. These restaurants do not make any money out of catering food so they just start opening longer and just start to sell alcohol only. This then causes late night noise and trouble.I object strongly to another restaurant opening in this premises. | |
| -- | |

Resident 5

From: [REDACTED]

Date: Sat, 29 Aug 2020 at 22:43

Subject: Licence application complaint

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

I wish to ask Manchester council not to grant a license to karibu restaurant,911 Ashton new rd,M11 4pb,, the applicant has had police sent to premises for parties and antisocial events,, there are parking issues,, residents next door,, people urinating in public,, personally having spoken with the applicant,she is not a fit & proper person..

Regards.

[REDACTED]

Resident 6

From: [REDACTED]

Date: Mon, 31 Aug 2020 at 14:40

Subject: Reject the opening of 911 Ashton new road Clayton Manchester

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

I am writing on behalf of me [REDACTED] and all the other neighbours [REDACTED] to reject the proposal of the new opening of Karibe Resturant 911 Ashton new road Manchester M114pb 4pb.

The area is saturated with drugs. There is also a restaurant open just over the road With the same kind of music , late nights and partying till early hours Which causes a really big disturbance, so to have another restaurant opening Across the road from the one it is already there with late nights and parties will cause mass disturbance and disruption not just for me and my wife [REDACTED] [REDACTED] for all the neighbours [REDACTED] also the area. I have the backup from the neighbours around I can provide whatever information is necessary to prove we have the consent from others to support the decision of not opening another late night restaurant in our area.

Yours gratefully

[REDACTED]

Sent from my iPad

Resident 7

From: [REDACTED] >
Date: Sat, 5 Sep 2020 at 14:14
Subject: Contesting the opening of the 'Karibu Restaurant'
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>

Hello,

I hope this email finds you well,

I am writing with regards to the potential opening of the 'Karibu Restaurant' based on 911 Ashton New Road, M11 4PB.

My family and I [REDACTED] and would like to contest you granting them a new Premises Licence.

I have outlined a few reasons why this should be denied below:

We have already got premises over the road a restaurant and bar, which has already exceeded its opening and closing times, without adding to it.

Built up residential area.

Timings purposed are ridiculous, people are working even on weekends.

Have already demonstrated they cannot follow social distancing guidelines.

License hasn't been approve yet and people are already sat outside drinking.

Numerous food establishments already on the road, without adding to this.

As proven when leaving the establishment people are not respectful and are extremely noisy.

Constant stream of cars pulling up, with not enough parking.

Can I ask have they got the license already? As the name is currently on the window.

Please could you consider this email, as I think a few more are imminent.
Us as a community shouldn't have to suffer with the above anymore as it is already out of control.

I hope to hear a response soon.

If you have any questions please do not hesitate to contact me.

Kind Regards,

[REDACTED]

Resident 8

From: [REDACTED] >

Date: Sun, 6 Sep 2020 at 12:52

Subject: Application for licence to trade : Karibu Restaurant, 911, Ashton New Road M11 4PB

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

Dear sirs,

We, myself and [REDACTED] (aged [REDACTED])

OBJECT totally, wholly to this application to trade from these premises.....

We already have 3 licensed restaurants within 2/3 minutes walking distance of this proposed new outlet Also a Public House.

Along Ashton New Rd, from Edge Lane to Crabtree Lane their must be at least. 10-15 Take aways,
Who are all FIGHTING FOR BUSINESS.

So, We Do NOT want or need any more restaurants.....we already have problems with noise,loud music car doors slamming etc at all hours, from Q P Restaurant. Which we have complained to.

This is a Residential Area. We have problems with the parking for the residents, never mind Drinkers and diners. Because that's all they'll be selling is Alcohol.

We hope you will take into consideration our feelings and doubts at allowing a Licence for another UNWANTED RESTAURANT /BAR in our area.

Yours sincerely.

[REDACTED]

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

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Schedule of Licence Conditions

| Conditions consistent with the operating schedule | Agreed | Proposed by |
|--|--------|-------------|
| <ol style="list-style-type: none"> 1. All staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection. 2. CCTV will be use at the premises, it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police. 3. The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards. 4. The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority. The correct time and date will be generated onto both the recording and the real time image screen. 5. If the CCTV equipment (Including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. 6. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified. 7. The premises Licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority or a constable. 8. There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during all trading hours. 9. The DPS will keep an up to date DPS Authorisation sheet which will show the list of staff members who have been given the authority to sell alcohol on the premises. 10. An incident record will be kept in a bound book, as will all refusals for the sale of alcohol. These books will be made available to the police and officer from the council on request 11. Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police. All relevant fire procedures are in place for a | N/A | Applicant |

Schedule of Licence Conditions

| <p>premises of this size.</p> <p>12. An on -site accident book will be in operation to record any accident/ injury incurred on the premises. This document will be retained for inspection by the store for a period of three years</p> <p>13. Customers will be reminded by way of a notice at the entrance/ exit door to please leave the premises quietly and have consideration for any neighbouring residential properties, when leaving late in the evening.</p> <p>14. Only photographic ID is to be accepted (passport, driving licence, proof of age card with PASS hologram, or military ID).</p> <p>15. Anyone who appears to be under the age of 25 is challenged to provide ID.</p> <p>16. If the customer is unable to provide identification then no sale is made. No ID no sale.</p> <p>17. Challenge 25 notices will be on display in the store.</p> <p>18. Any staff member who may be under the age of 18 must call a senior staff member to take over the sale and complete the transaction.</p> <p>19. If it is known that a customer intends to purchase alcohol to provide to minors then that sale will be refused.</p> <p>20. All refused sales will be recorded in a refusals book, which will be made available for inspection by Police or Licensing Officers of the council on request</p> | | |
|---|--------|-------------|
| | | |
| Conditions proposed by objectors | Agreed | Proposed by |
| <p>1. All windows and external doors shall be kept closed between 19:00 and close, except for immediate access and egress of persons.</p> <p>2. The licence holder shall enter into an agreement with a taxi company to provide transport for customers. A call-back system must be operated and drivers instructed not to sound their horns when collecting customers.</p> <p>3. Alcohol shall only be sold to persons as ancillary to food.</p> <p>4. All customers shall be seated.</p> <p>5. Alcohol shall be supplied by waiter/waitress service only.</p> | No | LOOH |

Schedule of Licence Conditions

| | | |
|--|--|--|
| <ol style="list-style-type: none"> 6. Alcohol shall not be taken off the premises. 7. Any person who appears intoxicated shall be refused entry to the premises. 8. No glassware to be collected from the premises or to be disposed of into outside waste receptacles between 2200 and 0800. 9. There shall be a documented dispersal policy, as agreed with the relevant responsible authorities, implemented at the premises and a copy lodged with the Council's Licensing Unit 10. Staff shall regularly clean (and endeavour to keep clear of litter) the area immediately in front of the premises. 11. There shall be a documented smoking policy, as agreed with the Manchester City Council Environmental Health section, implemented at the premises and a copy lodged with the Council's Licensing Unit. | | |
|--|--|--|

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

Report to: Licensing Sub-Committee Hearing Panel – 12 October 2020

Subject: The Loft, 1 New Street, Manchester, M40 8AW - App ref: Premises Licence (new) 248975

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: Miles Platting & Newton Heath

| 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 2017
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

1. **Introduction**

- 1.1 On 20/08/2020, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of The Loft, 1 New Street, Manchester, M40 8AW in the Miles Platting & Newton Heath 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 Animal Crossing Music Ltd.
- 2.3 The description of the premises given by the applicant is Music, fashion, arts & community, a cultural space to provide a platform for young creatives through the medium of events, exhibitions, talk & panels.

A space and place of mindfulness, yoga sessions, open poetry showcases, and other similar proceedings. Aiming to do as much charitable based community work as possible

- 2.4 The proposed designated premises supervisor is Oliver Keenan-Ryder

2.5 **The licensable activities applied for:**

Provision of regulated entertainment (plays, films, live music, recorded music, performances of dance and anything of a similar description to live music, recorded music or performances of dance):

Sun to Thu 12 noon to 12 midnight. Fri to Sat 12 noon to 5am.

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

The non-standard timings 12 occasions per year on 28 days' notice to GMP of Saturday early morning 0500 to 1200 and the same Sunday early morning 0500 to 1200 for opening and entertainment with alcohol finishing 1100 hours conditioned however that non-standard timing may not be used so as to extend normal operating hours.

The idea of non-standard timing is for after show parties for invited customers from other venues on nights when normal opening are not used so as to avoid 24 hour opening.

Provision of late night refreshment:

Sun to Thu 11pm to 12 midnight. Fri to Sat 11pm to 5am.

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

The non-standard timings 12 occasions per year on 28 days' notice to GMP of Saturday early morning 0500 to 1200 and the same Sunday early morning 0500 to 1200 for opening and entertainment with alcohol finishing 1100 hours conditioned however that non-standard timing may not be used so as to extend normal operating hours.

The idea of non-standard timing is for after show parties for invited customers from other venues on nights when normal opening are not used so as to avoid 24 hour opening.

The supply of alcohol for consumption on the premises only:

Sun to Thu 12 noon to 11pm. Fri to Sat 12 noon to 4am.

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

The non-standard timings 12 occasions per year on 28 days' notice to GMP of Saturday early morning 0500 to 1200 and the same Sunday early morning 0500 to 1200 for opening and entertainment with alcohol finishing 1100 hours conditioned however that non-standard timing may not be used so as to extend normal operating hours.

The idea of non-standard timing is for after show parties for invited customers from other venues on nights when normal opening are not used so as to avoid 24 hour opening.

Opening hours:

Sun to Thu 12 noon to 12 midnight. Fri to Sat 12 noon to 5am.

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

The non-standard timings 12 occasions per year on 28 days' notice to GMP of Saturday early morning 0500 to 1200 and the same Sunday early morning

0500 to 1200 for opening and entertainment with alcohol finishing 1100 hours conditioned however that non-standard timing may not be used so as to extend normal operating hours.

The idea of non-standard timing is for after show parties for invited customers from other venues on nights when normal opening are not used so as to avoid 24 hour opening.

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

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

2.6 **Activities unsuitable for children**

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

2.7 **Steps to promote the licensing objectives**

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

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

2.8 **Further documentation accompanying the application**

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

- Drugs and Entry Policy
- Smoking Policy
- Dispersal Policy

3. **Relevant Representations**

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

Responsible Authorities:

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

3.2 Summary of the representations:

| Party | Grounds of representation | Recommends |
|--|--|------------------------------|
| GMP | Concerns regarding Prevention of Crime and Disorder and the Prevention of Public Nuisance and in particular noise disturbance to local residents and businesses given the lateness of the terminal hour and the potential to stay open till 12 noon on 12 occasions per year. | Refuse |
| Licensing and Out of Hours Compliance | Concerns regarding Public Safety and Prevention of Public Nuisance. In particular the lateness of the terminal hour, the lack of public transport and the nature of the building leading to potential noise nuisance from noise transmitted from the premises, persons arriving, queueing, smoking and leaving the premises. Potentially intoxicated persons coming into contact with large commercial vehicles poses a risk to public safety. | Refuse |
| Trading Standards | Concerns that 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 Licensing Objective. | Grant with agreed conditions |

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

3.4 Agreements on conditions have been reached with Trading Standards.

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
- 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
- The availability of transport to and from the premises

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.

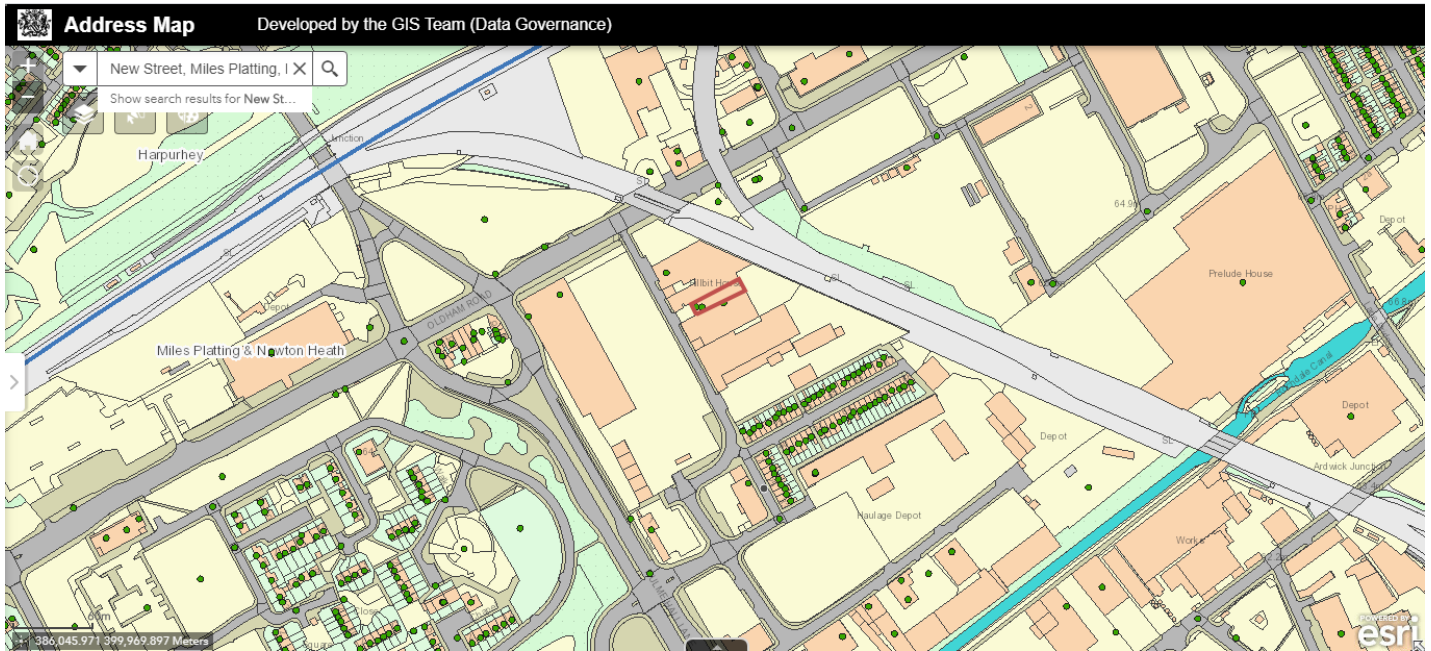
MS3 Responsible promotion and sale of alcohol

- 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)
 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.**



The Loft
1 New Street, Manchester, M40 8AW

Premises Licensing
Manchester City Council

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Survey100019568.



| | |
|-------------------------|-----------------------------------|
| PREMISE NAME: | The Loft |
| PREMISE ADDRESS: | 1 New Street, Manchester, M40 8AW |
| WARD: | Miles Platting & Newton Heath |
| HEARING DATE: | 12/10/2020 |

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 Animal Crossing Music Limited

(Insert name(s) of applicant)

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

Part 1 – Premises details

| | | | |
|---|------------|-----------------|---------|
| Postal address of premises or, if none, ordnance survey map reference or description The Loft 1 New Street Miles Platting | | | |
| Post town | Manchester | Postcode | M40 8AW |

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

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 | x | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |

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

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

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

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

| | | | | | |
|--|-----------------------------|-----------------------------|--|--------------------------------|--|
| M <input type="checkbox"/> | Mr <input type="checkbox"/> | Mi <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)

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

(B) OTHER APPLICANTS

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

| |
|--|
| Name Animal Crossing Music Limited |
| Address 303 The Pill Box 115 Coventry Road London E2 6GH |
| Registered number (where applicable) 11368411 |
| Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company |
| Telephone number (if any) |
| E-mail address (optional) |

Part 3 Operating Schedule

When do you want the premises licence to start?

| DD | | MM | | YYYY | | | |
|----|---|----|---|------|---|---|---|
| 1 | 7 | 0 | 9 | 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)
 Music, fashion, arts & community, a cultural space to provide a platform for young creatives through the medium of events, exhibitions, talk & panels.

A space and place of mindfulness, yoga sessions, open poetry showcases, and other similar proceedings. Aiming to do as much charitable based community work as possible.

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) | x |
| b) films (if ticking yes, fill in box B) | x |
| 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) | x |
| f) recorded music (if ticking yes, fill in box F) | x |
| g) performances of dance (if ticking yes, fill in box G) | x |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | x |

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

x

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

x

In all cases complete boxes K, L and M

A

| | | | | | |
|---|--------------|---------------|---|----------|--------------------------|
| Plays Standard days and timings (please read guidance note 7) | | | <u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | x |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 4) | | |
| Mon | 12:00 | 24:00 | | | |
| | | | | | |
| Tue | 12:00 | 24:00 | | | |
| | | | | | |
| Wed | 12:00 | 24:00 | <u>State any seasonal variations for performing plays</u> (please read guidance note 5) From the start of permitted hours on New Years Eve to the end of permitted hours on New Year's Day. | | |
| | | | | | |
| Thur | 12:00 | 24:00 | | | |
| | | | | | |
| Fri | 12:00 | 05:00 | <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) The non standard timings 12 occasions per year on 28 days notice to GMP of Saturday early morning 0500 to 1200 and the same Sunday early morning 0500 to 1200 for opening and entertainment with alcohol finishing 1100 hours conditioned however that non standard timing may not be used so as to extend normal operating hours. | | |
| | | | | | |
| Sat | 12:00 | 05:00 | | | |
| | | | | | |
| Sun | 12:00 | 24:00 | The idea of non standard timing is for after show parties for invited customers from other venues on nights when normal opening are not used so as to avoid 24 hour opening. | | |
| | | | | | |

B

| | | | | | |
|---|--------------|---------------|---|----------|--------------------------|
| Films Standard days and timings (please read guidance note 7) | | | Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | x |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 4) | | |
| Mon | 12:00 | 24:00 | | | |
| Tue | 12:00 | 24:00 | | | |
| Wed | 12:00 | 24:00 | State any seasonal variations for the exhibition of films (please read guidance note 5) From the start of permitted hours on New Years Eve to the end of permitted hours on New Year's Day. | | |
| Thur | 12:00 | 24:00 | | | |
| Fri | 12:00 | 05:00 | | | |
| Sat | 12:00 | 05:00 | Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6) The non standard timings 12 occasions per year on 28 days notice to GMP of Saturday early morning 0500 to 1200 and the same Sunday early morning 0500 to 1200 for opening and entertainment with alcohol finishing 1100 hours conditioned however that non standard timing may not be used so as to extend normal operating hours. The idea of non standard timing is for after show parties for invited customers from other venues on nights when normal opening are not used so as to avoid 24 hour opening. | | |
| Sun | 12:00 | 24:00 | | | |

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) | | | Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3) | | Indoors | <input type="checkbox"/> |
| | | | | | Outdoors | <input type="checkbox"/> |
| | | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 4) | | | |
| Mon | | | | | | |
| Tue | | | | | | |
| Wed | | | State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5) | | | |
| Thur | | | | | | |
| Fri | | | | | | |
| Sat | | | Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6) | | | |
| Sun | | | | | | |
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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 | x |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 4) | | |
| Mon | 12:00 | 24:00 | | | |
| | | | | | |
| Tue | 12:00 | 24:00 | | | |
| | | | | | |
| Wed | 12:00 | 24:00 | <u>State any seasonal variations for the performance of live music</u> (please read guidance note 5) From the start of permitted hours on New Years Eve to the end of permitted hours on New Year's Day. | | |
| | | | | | |
| Thur | 12:00 | 24:00 | | | |
| | | | | | |
| Fri | 12:00 | 05:00 | <u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) The non standard timings 12 occasions per year on 28 days notice to GMP of Saturday early morning 0500 to 1200 and the same Sunday early morning 0500 to 1200 for opening and entertainment with alcohol finishing 1100 hours conditioned however that non standard timing may not be used so as to extend normal operating hours. The idea of non standard timing is for after show parties for invited customers from other venues on nights when normal opening are not used so as to avoid 24 hour opening. | | |
| | | | | | |
| Sat | 12:00 | 05:00 | | | |
| | | | | | |
| Sun | 12:00 | 24:00 | | | |
| | | | | | |

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 | x |
| | | | | | Outdoors | <input type="checkbox"/> |
| | | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 4) | | | |
| Mon | 12:00 | 24:00 | | | | |
| | | | | | | |
| Tue | 12:00 | 24:00 | | | | |
| | | | | | | |
| Wed | 12:00 | 24:00 | <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) From the start of permitted hours on New Years Eve to the end of permitted hours on New Year's Day. | | | |
| | | | | | | |
| Thur | 12:00 | 24:00 | | | | |
| | | | | | | |
| Fri | 12:00 | 05:00 | <u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) The non standard timings 12 occasions per year on 28 days notice to GMP of Saturday early morning 0500 to 1200 and the same Sunday early morning 0500 to 1200 for opening and entertainment with alcohol finishing 1100 hours conditioned however that non standard timing may not be used so as to extend normal operating hours. The idea of non standard timing is for after show parties for invited customers from other venues on nights when normal opening are not used so as to avoid 24 hour opening. | | | |
| | | | | | | |
| Sat | 12:00 | 05:00 | | | | |
| | | | | | | |
| Sun | 12:00 | 24:00 | | | | |
| | | | | | | |

G

| | | | | | | |
|---|-------|--------|---|--|----------|--------------------------|
| Performances of dance Standard days and timings (please read guidance note 7) | | | <u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | | Indoors | x |
| | | | | | Outdoors | <input type="checkbox"/> |
| | | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 4) | | | |
| Mon | 12:00 | 24:00 | | | | |
| Tue | 12:00 | 24:00 | | | | |
| Wed | 12:00 | 24:00 | | | | |
| Thur | 12:00 | 24:00 | <u>State any seasonal variations for the performance of dance</u> (please read guidance note 5) From the start of permitted hours on New Years Eve to the end of permitted hours on New Year's Day. | | | |
| Fri | 12:00 | 05:00 | <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) The non standard timings 12 occasions per year on 28 days notice to GMP of Saturday early morning 0500 to 1200 and the same Sunday early morning 0500 to 1200 for opening and entertainment with alcohol finishing 1100 hours conditioned however that non standard timing may not be used so as to extend normal operating hours. The idea of non standard timing is for after show parties for invited customers from other venues on nights when normal opening are not used so as to avoid 24 hour opening. | | | |
| Sat | 12:00 | 05:00 | | | | |
| Sun | 12:00 | 24:00 | | | | |
| | | | | | | |

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 checked="" type="checkbox"/> |
| Mon | 12:00 | 24:00 | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tue | 12:00 | 24:00 | <u>Please give further details here</u> (please read guidance note 4) | | |
| | | | | | |
| Wed | 12:00 | 24:00 | | | |
| Thur | 12:00 | 24:00 | <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) From the start of permitted hours on New Years Eve to the end of permitted hours on New Year's Day. | | |
| | | | | | |
| Fri | 12:00 | 05:00 | | | |
| Sat | 12:00 | 05:00 | <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) The non standard timings 12 occasions per year on 28 days notice to GMP of Saturday early morning 0500 to 1200 and the same Sunday early morning 0500 to 1200 for opening and entertainment with alcohol finishing 1100 hours conditioned however that non standard timing may not be used so as to extend normal operating hours. The idea of non standard timing is for after show parties for invited customers from other venues on nights when normal opening are not used so as to avoid 24 hour opening. | | |
| | | | | | |
| Sun | 12:00 | 24:00 | | | |

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 | <u>Please give further details here</u> (please read guidance note 4) | | | |
| Mon | 23:00 | 24:00 | | | | |
| Tue | 23:00 | 24:00 | | | | |
| Wed | 23:00 | 24:00 | | | | |
| Thur | 23:00 | 24:00 | <u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) From the start of permitted hours on New Years Eve to the end of permitted hours on New Year's Day. | | | |
| Fri | 23:00 | 05:00 | | | | |
| Sat | 23:00 | 05:00 | <u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6) The non standard timings 12 occasions per year on 28 days notice to GMP of Saturday early morning 0500 to 1200 and the same Sunday early morning 0500 to 1200 for opening and entertainment with alcohol finishing 1100 hours conditioned however that non standard timing may not be used so as to extend normal operating hours. The idea of non standard timing is for after show parties for invited customers from other venues on nights when normal opening are not used so as to avoid 24 hour opening. | | | |
| Sun | 23:00 | 24:00 | | | | |

J

| | | | | | |
|---|-------|--------|--|------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 7) | | | Will the supply of alcohol be for consumption – please tick (please read guidance note 8) | On the premises | <input 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) From the start of permitted hours on New Years Eve to the end of permitted hours on New Year's Day. 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) The non standard timings 12 occasions per year on 28 days notice to GMP of Saturday early morning 0500 to 1200 and the same Sunday early morning 0500 to 1200 for opening and entertainment with alcohol finishing 1100 hours conditioned however that non standard timing may not be used so as to extend normal operating hours. The idea of non standard timing is for after show parties for invited customers from other venues on nights when normal opening are not used so as to avoid 24 hour opening. | | |
| Mon | 12:00 | 23:00 | | | |
| Tue | 12:00 | 23:00 | | | |
| Wed | 12:00 | 23:00 | | | |
| Thur | 12:00 | 23:00 | | | |
| Fri | 12:00 | 04:00 | | | |
| Sat | 12:00 | 04:00 | | | |
| Sun | 12:00 | 23:00 | | | |

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

| | |
|---|------------|
| Name Oliver Ryder | |
| Date of birth | [REDACTED] |
| Address [REDACTED] | |
| Postcode | [REDACTED] |
| Personal licence number (if known) 145290 | |
| Issuing licensing authority (if known) Salford City Council | |

K

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

N/A

L

| | | | |
|---|-------|--------|---|
| Hours premises are open to the public Standard days and timings (please read guidance note 7) | | | State any seasonal variations (please read guidance note 5) From the start of permitted hours on New Years Eve to the end of permitted hours on New Year's Day. |
| Day | Start | Finish | |
| Mon | 12:00 | 24:00 | |
| Tue | 12:00 | 24:00 | |
| Wed | 12:00 | 24:00 | |
| Thur | 12:00 | 24:00 | |
| Fri | 12:00 | 05:00 | |
| Sat | 12:00 | 05:00 | |
| Sun | 12:00 | 24:00 | |

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)

The non standard timings 12 occasions per year on 28 days notice to GMP of Saturday early morning 0500 to 1200 and the same Sunday early morning 0500 to 1200 for opening and entertainment with alcohol finishing 1100 hours conditioned however that non standard timing may not be used so as to extend normal operating hours.

The idea of non standard timing is for after show parties for invited customers from other venues on nights when normal opening are not used so as to avoid 24 hour opening.

M

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

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

CCTV will be provided in the form of a recordable system, capable of providing

pictures of evidential quality in all lighting conditions, particularly head and shoulders recognition.

Cameras shall encompass all ingress and egress to the premises, fire exits and all areas where the sale / supply of alcohol occurs. The Premises Licence holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format on to DVD for officers of Responsible Authorities.

Equipment must be maintained in good working order and be correctly time and date stamped. Any hard drive system used must be capable of retaining images for a minimum of 31 days on a roll-over basis.

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.

An Incident Log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to GMP or an Authorised Officer of the Licensing Authority.

b) The prevention of crime and disorder

All drinks shall only be sold in a container made from non-splintering plastic, paper or shatterproof glass during any dance or DJ-led events.

Door Staff to be engaged at the premises from 60 minutes before opening until 30 minutes after close whenever the premises are open beyond midnight. The number of door staff shall be such as is determined by a risk assessment by management each day, at the ratio of 1:100.

When employed at the premises, all door staff will wear high-visibility jackets, both when inside and outside the premises for DJ-led events, and outside only for private, corporate and/or brand-led events.

The Drugs Policy will be agreed by the Licensing & Out of Hours Team and attached to this Licence.

Any person who appears to be drunk shall not be permitted to enter the premises.

c) Public safety

All fire-fighting equipment shall be maintained in accordance with the necessary certification and maintenance requirements.

Public Liability Insurance shall be maintained in respect of the premises.

Prior to opening to the public, the premises will be available for inspection by Greater Manchester Fire Authority.

An adequate fire detection service and appropriate emergency lighting system are to be installed at the premises.

Staff shall make regular checks of the toilet facilities.

The premises shall have a comprehensive emergency procedure, and Management shall ensure that all staff are fully trained in the safe handling of emergencies.

d) The prevention of public nuisance

The Dispersal Policy agreed by the Licensing & Out of Hours Team is attached to this Licence and is a Condition of the Premises Licence.

A Noise Limiter will be fitted and set at a level as agreed with Environmental Health.

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

All doors and windows shall remain closed during regulated entertainment except for access and egress or in case of emergency.

Notices shall be placed at the exits to the premises asking customers to leave the premises quickly and quietly.

There shall be no disposal of glassware or containers outside the premises between 22:00 and 07:00.

The Smoking Policy agreed by the Licensing & Out of Hours Team is attached to this Licence and is a Condition of the Premises Licence.

The area outside the premises will be kept clean and tidy, and staff will tidy away any litter at the conclusion of trading.

There shall be regular and adequate refuse collections from the premises.

Local taxi numbers shall be made available for customers, to assist in procuring a taxi.

Adequate rubbish bins will be placed outside of the premises and cleared away when the premises close.

e) The protection of children from harm

No under 18's will be permitted on the premises after 21:00.

The Challenge 25 Policy shall be implemented in full and appropriate identification shall be sought from any person who appeared under the age of 25. The only acceptable forms of identification shall be passport, photo driving licence and those carrying the PASS logo.

Staff training shall include the Challenge 25 policy and its operation. The training shall be given to a new member of staff before they commence employment, and all staff will be retrained at least annually.

Notices shall be displayed inside the premises warning that it is illegal to purchase – or attempt to purchase – alcohol under the age of 18.

Checklist:

Please tick to indicate agreement

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

| | |
|--------------------|---|
| Declaration | <ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15) |
| Signature | Licensing Legal Solicitors |
| Date | 19 th August 2020 |
| Capacity | Solicitors & Authorised Agents for the Applicant |

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

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

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

Licensing Legal Solicitors
Unit 25, The Progress Centre
Charlton Place

| | | | |
|---|-------------------|----------|----------------|
| Post town | Manchester | Postcode | M12 6HS |
| Telephone number (if any) | | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) | | | |
| | | | |

Consent of individual to being specified as a premises supervisor

I, Oliver Keenan-Ryder

[full name of prospective premises supervisor]

Of

[redacted]

.....
[home address of prospective premises supervisor]

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

The grant of a Premises Licence

[type of application]

By

Animal Crossing Music Limited

[name of applicant]

Relating to a premises licence:

[number of existing licence, if any]

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

1 New Street, Miles Platting, Manchester M40 8AW

.....

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

Animal Crossing Music Limited

[name of applicant]

Concerning the supply of alcohol at:

1 New Street, Miles Platting, Manchester M40 8AW

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

Personal Licence number: 145290

Personal Licence issuing authority:

Salford City Council

Date and place of birth:

Signed:

Name [please print] OLIVER KEENAW EXDER

Date: 19.08.20-

DRUGS & ENTRY POLICY

- The Loft promotes sensible drinking.
- Valid Passports & Drivers Licenses will be accepted on entry
- A ticket does not guarantee entry
- Management reserves the right to refuse entry
- A search policy is in operation on an entry
- Drug Amnesty bins may be available at the entrance
- ID will be checked on entry. Challenge 25 is in operation in the venue
- Maximum bag allowed into the venue size A4 envelope
- The Loft does not tolerate drug taking – anyone found with drugs will be ejected
- No liquids, glass or aerosols, including perfumes makeup or sprays.
- 10ml max for vaping liquid
- No food or drinks of any sort.
- No football shirts or football clothing
- Weapons or flares or pyrotechnic devices.
- No umbrellas.
- Please leave quietly following the securities directions
- Management reserve the right to refuse admission
- No umbrellas allowed in this venue

If you arrive with any of the above items you will usually be able to dispose of it/them at the entrance.

No items left at the gate will be able to be collected once the customer has left the entrance.

Items surrendered at the entrance can be disposed of immediately.

DISPERSAL POLICY

- Aim & objective - to ensure efficient & quiet exit from the premises.
- No drinks to be taken outside of the premises
- Customers to be emailed prior to event full dispersal policy
- Customers to be emailed local taxi & public transportation routes prior to each event
- Local taxi numbers to be printed and present on site
- Dispersal proceedings to be handled by competent SIA security team
- Premises has a gated outside area to hold customers until the method of transport has arrived to control numbers outside the premises.
- exterior lighting outside to assist with the dispersal process
- events to finish at a time whereby less traffic is present

SMOKING POLICY

There will be no smoking indoors - smoking limited to the outdoor area which will be managed by SIA security to control behaviour, noise levels and quantities.

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

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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: |
| The Loft |
| Address of the Premises (including postcode if known): |
| 1 New Street, Miles Platting, Manchester M40 8AB |

| 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 when operating the Challenge 25 Scheme, in addition to the appropriate ID's stated on the application, a UK forces warrant card is |

also acceptable ID and also that the PASS card must bear a hologram.

2. The signage referred to on the application shall also include a statement that a Challenge 25 Scheme is in operation.
3. 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.
4. 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
5. 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 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.)

From: **Helene Corlett** <helene.corlett@manchester.gov.uk>
 Date: Tue, 1 Sep 2020 at 15:11
 Subject: Fwd: The Loft, 1 New Street, Miles Platting, Manchester M40 8AB
 To: Premises Licensing <premises.licensing@manchester.gov.uk>

Hi Patrick

The email below addresses my concerns. I've not copied in the applicant's representative as I wasn't sure if licensing do that at Manchester CC.

Kind regards

Helene

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

From: **Stephanie Williams** <[REDACTED]>
 Date: Tue, 1 Sep 2020 at 14:30
 Subject: The Loft, 1 New Street, Miles Platting, Manchester M40 8AB
 To: helene.corlett@manchester.gov.uk <helene.corlett@manchester.gov.uk>
 Cc: Premises Licensing
 <premises.licensing@manchester.gov.uk>, [REDACTED] <[REDACTED]>
 [REDACTED]>

Further to your Representation in respect of the above matter, I can confirm that the Applicant is in agreement with the 5 additional requested Conditions as set out below:-

1. That when operating the Challenge 25 Scheme, in addition to the appropriate ID's stated on the application, a UK forces warrant card is also acceptable ID and also that the PASS card must bear a hologram.
2. The signage referred to on the application shall also include a statement that a Challenge 25 Scheme is in operation.
3. 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.
4. All staff authorised to sell alcohol shall be trained in:
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 - Where till prompts are installed, how to enter sales correctly on the tills so the prompts show as appropriate
 - How to refuse service
5. 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 records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.

I would be grateful if you would confirm that this now satisfies your concerns.

Kind regards,

Stephanie

Stephanie Williams
(Practice Manager)

Tel: [REDACTED] (Option 2)
Fax: [REDACTED]

GREATER MANCHESTER POLICE - REPRESENTATION

About You

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

About the Premises

| | |
|--|----------------------------------|
| Application Reference No. | LPA 248975 |
| Name of the Premises | The Loft |
| Address of the premises including postcode | 1 New Street, Manchester M40 8AW |
| | |

Your Representation

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

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

The premises are situated in close proximity to residential properties on New Street and Canada Street and GMP are concerned that the lateness of the hours requested will almost certainly cause a noise disturbance to those persons who reside close to the premises. The proposed weekend hours in particular are more in keeping with a City centre nightclub with the 5 am closing time and the proposal to allow the premises to remain open until 12 noon on 12 occasions a year is particularly concerning as it will potentially cause round the clock disruption to persons living nearby.

Manchester City Council's own licensing policy states:

The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance

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

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

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

— Disturbance caused by deliveries associated with licensable activities, including waste collection.

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

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

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

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

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

7.32 Therefore, where its discretion is engaged, the authority will be mindful of the density of residential use in proximity to the premises and the level of risk of nuisance arising. The authority expects that terminal hours will normally be earlier to promote the licensing objectives for licensed premises located in areas with a higher density of residential property.

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

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

7.35 Where its discretion is engaged, the licensing authority will not consider the fact that other premises in the vicinity already have similar hours as a justification for granting similar or extended hours, and each application will be considered on its individual merits.

We therefore ask that this application is refused.

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| Licensing & Out of Hours Compliance Team - Representation | |
|---|---|
| Name | Devon Bennett |
| Job Title | Neighbourhood Compliance Officer |
| Department | Licensing and Out of Hours Compliance Team |
| Address | Level 1, Town Hall Extension, Manchester, M60 2LA |
| Email Address | devon.bennett@manchester.gov.uk |
| Telephone Number | 0161 227 3147 |

| Premise Details | |
|--------------------|-----------------------------------|
| Application Ref No | 248975 |
| Name of Premises | The Loft |
| Address | 1 New Street, Manchester, M40 8AW |

| Representation |
|--|
| Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises. |
| <p>The Licensing and Out of Hours Team (LOOHT) have assessed the likely impact of the late night premises known as The Loft, 1 New Street, Manchester M40 8AW taking into account a number of factors. This includes the location of nearby residential properties, the hours applied for, Manchester City Council's statement of licensing policy 2016-2021, and any potential risk of the granting of this licence, that could lead to the undermining of the licensing objectives.</p> <p>The premises is located on New Street which runs adjacent to Oldham Road which is a main arterial route in and out of the city centre. The location of the premises is close to residential streets and industrial businesses in the neighbourhood ward of Miles Platting and Newton Heath.</p> <p>The LOOHT have also given consideration to Manchester City Council's Statement of Licensing Policy 2016 - 2021, specifically:</p> <p>7.25 Where its discretion is engaged, the licensing authority will ensure that due consideration is given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises, to ensure they are located in a position that does not adversely affect their ability to ensure the promotion of the licensing objectives. The potential impact on any local residents will be an important matter for consideration.</p> <p>7.26 Where premises are in the direct vicinity of local residential properties, and where its discretion is engaged, the authority will give particular consideration to measures proposed in the application in relation to prevent nuisance, such as:</p> <ul style="list-style-type: none"> – Prevention of noise or vibration escaping from the premises due to volume of music or plant and machinery noise – Prevention of noise disturbance from people entering and leaving the premises (eg. queue management, dispersal policy) – Prevention of disturbance by people outside the premises (eg. smoking areas) – Litter from the premises (This issue is considered particularly relevant in respect of late-night takeaways and smoking-related litter outside licensed premises) – Disturbance caused by deliveries associated with licensable activities, including waste collection. <p>7.27 The leisure and night-time economy can be an important contributor to an area's appeal to work, live or visit there. However, each of our neighbourhoods is different to each other and services need to be flexible to meet these different needs. For example, while doorstep access to a thriving late-night-time economy appeals to many living and working in the city centre, it will not be acceptable to those in other areas of the city.</p> <p>7.28 Where its discretion is engaged, the licensing authority will give consideration to the</p> |

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

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

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

7.32 Therefore, where its discretion is engaged, the authority will be mindful of the density of residential use in proximity to the premises and the level of risk of nuisance arising. The authority expects that terminal hours will normally be earlier to promote the licensing objectives for licensed premises located in areas with a higher density of residential property.

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

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

Giving consideration to Section 7.25 and 7.26. The premises is located less than 100m to the nearest residential street, Canada Street. Therefore it is likely that customers arriving to the premises, queuing to enter, and smokers could cause nuisance to local residents in a neighbourhood ward of the city. The premises appears to be a warehouse unit. The application and plans show no additional noise attenuation apart from a two door system at the entrance, which is for entry and exit and so it is likely they will both be open at the same time allowing for music to escape from the premises and cause nuisance to local residents. The premises is also located in an area with a Royal Mail Distribution office and a heavy haulage firm. Being located closely to both businesses, which have multiple vehicles including heavy good vehicles it is likely that the vehicles will need to use the road at the same time as dispersal of the premises. Which could result in intoxicated customers mixing with large vehicles in the road and frustrations which taxis blocking the road that businesses still need to use. This could lead to not only public safety issues but the use of horns and raised voices giving rise to public nuisance.

In Sections 7.27, 7.28, and 7.29 of the policy. Direction is given to consider the suitability of a late night venue within areas of the city which are not the city centre. The application is for a late night premises in an area which was regenerated in 2015 to support some of Manchester's most vulnerable veterans. The premises locality to Canada Street where the project has been since 2015 could give rise to public nuisance through activities associated with a nightclub such as noise from customers and taxis suggesting that this premises would not be suitable in an area of supported residential housing.

Giving consideration to the points raised within sections 7.31, 7.32, 7.33, and 7.34. As per the attached map images it is clear that the premises is located close to a residential area. However, consideration must also be given to the impact of other nearby residents when customers leave the premises late at night. Especially in a neighbourhood ward of the city. Upon dispersal of the premises post midnight. The local transport is reduced. According to TFGM timetables buses in both directions on Oldham Road and Hulme Hall Lane show there are no buses from midnight until 04:42. There would also be no trams from the nearest tram stop which is Monsal from midnight until 06:30. Therefore the hours proposed mid week would mean customers would solely rely on taxi services to disperse the area, which could allow for heavy traffic in an area which would normally be much quieter due to the area being a residential neighbourhood. However, consideration is also given to the Friday and Saturday terminal hour which is proposed as 05:00am. Those customers who would utilise public transport would have to use the Oldham Road bus stop which is less than 100m to a large residential flat block and multiple residential houses, or the use of the metrolink which is 0.6 miles walk away. Customers would have to wait till 06:30 for the first tram and would have to walk through a heavily residential housing estate. LOOHT fear both public transport links would allow for groups to congregate giving rise to public nuisance to local residents both at the bus stop on Oldham Road/ Hulme Hall Lane and the Tram Stop in Monsall. During the weekend hours, again New Street would become filled with Taxis collecting customers. New Street is not a main road and so it is likely taxis that park will cause obstruction waiting for collection and exacerbate the noise from customers and car engines for local residents on Canada Street.

Section M of the application allows the applicant to state how they propose to uphold and promote the licensing objectives. LOOHT have given consideration to the conditions offered to mitigate the concerns raised from the Licensing Policy Sections. However, the LOOHT feel the conditions offered along side the hours applied for will not uphold or promote the licensing objectives. It is likely that the granting of this application will give rise to public nuisance for local residents

With regards to the Licensing Policy and the application submitted. The Licensing and Out of Hours Team ask that the application is refused.

Recommendation: Refuse Application

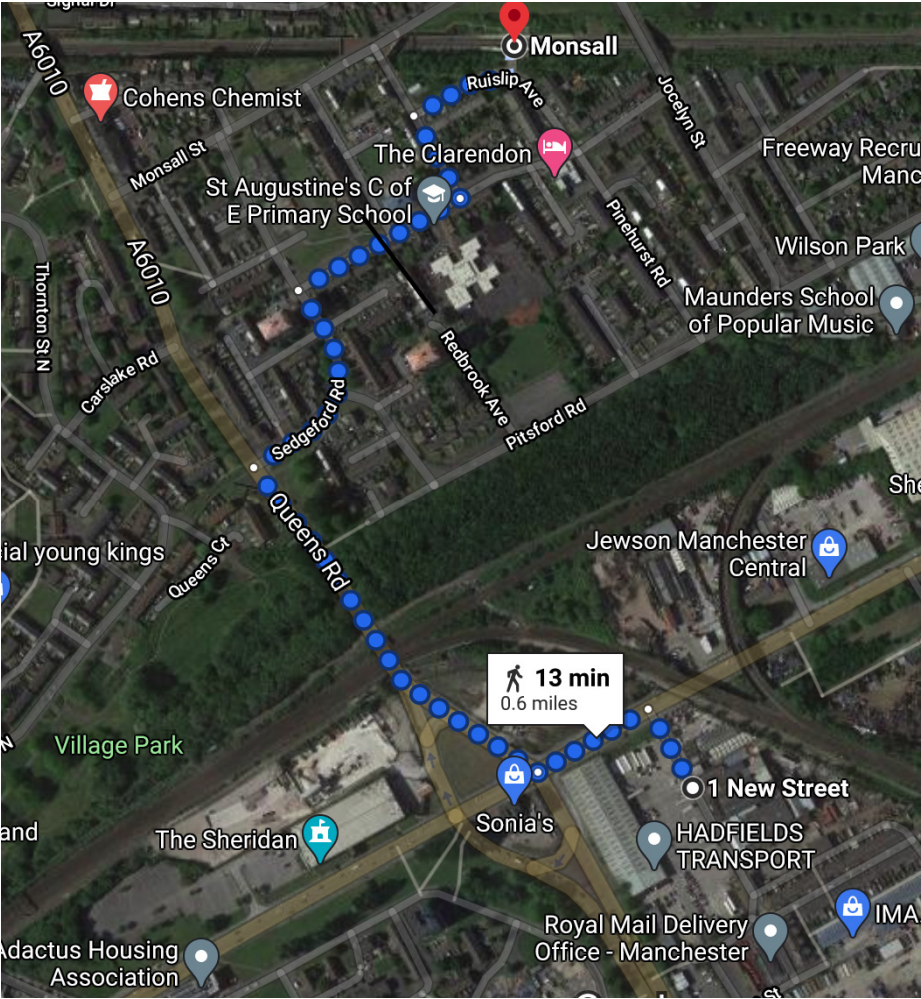
Map DB01 - Locality to Local Residents and Businesses



Map DB02 - Locality of Bus Stop to Local Residents



Map DB03 - Locality of Tram Stop from the Venue and Locality of Local Residents



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

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Schedule of Licence Conditions

| Conditions consistent with the operating schedule | Agreed | Proposed by |
|---|--------|-------------|
| <ol style="list-style-type: none"> 1. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions, particularly head and shoulders recognition. 2. Cameras shall encompass all ingress and egress to the premises, fire exits and all areas where the sale / supply of alcohol occurs. The Premises Licence holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format on to DVD for officers of Responsible Authorities. 3. Equipment must be maintained in good working order and be correctly time and date stamped. Any hard drive system used must be capable of retaining images for a minimum of 31 days on a roll-over basis. 4. 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. 5. An Incident Log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to GMP or an Authorised Officer of the Licensing Authority. 6. All drinks shall only be sold in a container made from non-splintering plastic, paper or shatterproof glass during any dance or DJ-led events. 7. Door Staff to be engaged at the premises from 60 minutes before opening until 30 minutes after close whenever the premises are open beyond midnight. The number of door staff shall be such as is determined by a risk assessment by management each day, at the ratio of 1:100. 8. When employed at the premises, all door staff will wear high-visibility jackets, both when inside and outside the premises for DJ-led events, and outside only for private, corporate and/or brand-led events. 9. The Drugs Policy will be agreed by the Licensing & Out of Hours Team and attached to this Licence. 10. Any person who appears to be drunk shall not be permitted to enter the premises. 11. All fire-fighting equipment shall be maintained in accordance with the necessary certification and maintenance requirements. 12. Public Liability Insurance shall be maintained in respect of the premises. 13. Prior to opening to the public, the premises will be available for | N/A | Applicant |

Schedule of Licence Conditions

| | | |
|--|--|--|
| <p>inspection by Greater Manchester Fire Authority.</p> <p>14. An adequate fire detection service and appropriate emergency lighting system are to be installed at the premises.</p> <p>15. Staff shall make regular checks of the toilet facilities.</p> <p>16. The premises shall have a comprehensive emergency procedure, and Management shall ensure that all staff are fully trained in the safe handling of emergencies.</p> <p>17. The Dispersal Policy agreed by the Licensing & Out of Hours Team is attached to this Licence and is a Condition of the Premises Licence.</p> <p>18. A Noise Limiter will be fitted and set at a level as agreed with Environmental Health.</p> <p>19. No noise shall emanate from the premises, nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance.</p> <p>20. All doors and windows shall remain closed during regulated entertainment except for access and egress or in case of emergency.</p> <p>21. Notices shall be placed at the exits to the premises asking customers to leave the premises quickly and quietly.</p> <p>22. There shall be no disposal of glassware or containers outside the premises between 22:00 and 07:00.</p> <p>23. The Smoking Policy agreed by the Licensing & Out of Hours Team is attached to this Licence and is a Condition of the Premises Licence.</p> <p>24. The area outside the premises will be kept clean and tidy, and staff will tidy away any litter at the conclusion of trading.</p> <p>25. There shall be regular and adequate refuse collections from the premises.</p> <p>26. Local taxi numbers shall be made available for customers, to assist in procuring a taxi.</p> <p>27. Adequate rubbish bins will be placed outside of the premises and cleared away when the premises close.</p> <p>28. No under 18's will be permitted on the premises after 21:00.</p> <p>29. The Challenge 25 Policy shall be implemented in full and appropriate identification shall be sought from any person who appeared under the age of 25. The only acceptable forms of identification shall be passport, photo driving licence and those carrying the PASS logo.</p> <p>30. Staff training shall include the Challenge 25 policy and its operation. The training shall be given to a new member of staff before they commence employment, and all staff will be retrained</p> | | |
|--|--|--|

Schedule of Licence Conditions

| at least annually. | | |
|--|-----------|-------------------|
| 31. Notices shall be displayed inside the premises warning that it is illegal to purchase – or attempt to purchase – alcohol under the age of 18. | | |
| | | |
| Conditions proposed by objectors | Agreed | Proposed by |
| <p>32. That when operating the Challenge 25 Scheme, in addition to the appropriate ID's stated on the application, a UK forces warrant card is also acceptable ID and also that the PASS card must bear a hologram.</p> <p>33. The signage referred to on the application shall also include a statement that a Challenge 25 Scheme is in operation.</p> <p>34. 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>35. All staff authorised to sell alcohol shall be trained in:</p> <ul style="list-style-type: none"> a. The prevention of underage sales of alcohol b. The prevention of proxy purchases of alcohol c. Maintenance of the refusals log d. Where till prompts are installed, how to enter sales correctly on the tills so the prompts show as appropriate e. How to refuse service. <p>36. 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 records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.</p> | Yes (all) | Trading Standards |

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

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Manchester City Council Report for Resolution

Report to: Licensing Subcommittee Hearing Panel – 12 October 2020

Subject: Whistle Punks, Unit 20, Great Nothern Warehouse, 235 Deansgate, Manchester, M3 4EN - App ref: Premises Licence (new) 249014

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendations

That the Panel determine the application.

Wards Affected: Deansgate

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

| | |
|---|--|
| infrastructure and connectivity to drive growth | |
|---|--|

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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Background documents (available for public inspection):

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

1. **Introduction**

- 1.1 On 21/08/2020, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Whistle Punks, Unit 20, Great Northern Warehouse, 235 Deansgate, Manchester, M3 4EN in the Deansgate ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. **The Application**

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Whistle Punks UK Ltd (formerly 'Stay On Target Ltd').
- 2.3 The description of the premises given by the applicant is: 'A Ground Floor premises forming part of The Great Northern Warehouse'.
- 2.4 The proposed designated premises supervisor is Mr John Graves.
- 2.5 **The licensable activities applied for:**

Provision of regulated entertainment (films, indoor sporting events, live music, recorded music):
 Sun to Wed 8am to 11pm
 Thu to Sat 8am to 12 midnight

Provision of late night refreshment:
 Thu to Sat 11pm to 12 midnight

The supply of alcohol for consumption on the premises only:
 Sun to Wed 11am to 11pm
 Thu to Sat 11am to 12 midnight

Opening hours:
 Sun to Wed 8am to 11.30pm

Thu to Sat 8am to 00.30am

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

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

2.6 **Activities unsuitable for children**

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

2.7 **Steps to promote the licensing objectives**

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

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

3. **Relevant Representations**

3.1 A total of 2 relevant representations were received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;
- MCC Trading Standards Service

3.2 Summary of the representations:

| Party | Grounds of representation | Recommends |
|--|--|-----------------------|
| Licensing and Out of Hours Compliance | <p>The applicant Stay on Target Limited have an experience of axe throwing and have applied for Late Night Refreshment, alcohol, live and recorded music to enhance the experience.</p> <p>LOOH Compliance have a concerns for public safety if customers are allowed to drink on site prior to or during the game and are requesting that a specific condition be added to any subsequently granted premises licence that</p> | Grant with conditions |

| | | |
|--------------------------|---|-----------------------|
| | would prevent the consumption of alcohol on site and during any axe throwing activities by customers. LOOH Compliance are not satisfied that the stated proviso on the company's website (advising potential customers that those suspected of already being under the influence of alcohol would be prevented from taking part in any axe throwing activities) is sufficient by way of reassurance and they believe that the requested condition would ensure the upholding of the Licensing Objective relating to Public Safety. | |
| Trading Standards | The Trading Standards Service are not satisfied that the application has provided adequate detail and reassurance as to what policies and procedures are to be employed at the premises to prevent the sale of alcohol to underage persons and are, therefore, requesting the imposition of conditions relating to a defined age verification policy ('Challenge 25'). The Trading Standards Service are also requesting that conditions relating to the application of a verified refusals policy and employment of appropriate staff training policies and recording system also be adopted on to any granted premises licence. | Grant with conditions |

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

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

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

- | | |
|-----|--|
| MS1 | Implement effective security measures at the premises |
| MS2 | Effective general management of the premises |
| MS3 | Responsible promotion and sale of alcohol |
| MS5 | Prevent on-street consumption of alcohol |
| MS6 | Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies |
| MS8 | Prevent noise nuisance from the premises |

- MS11 Ensure the wellbeing of children on the premises
 MS12 Prevent underage sales of alcohol, including proxy sales

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.**

Manchester City Council**Application for a premises licence to be granted
under the Licensing Act 2003****PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

We Stay on Target Limited

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 | | | |
| Whistle Punks Unit 20 Great Northern Warehouse 235 Deansgate | | | |
| Post town | Manchester | Post code | M3 4EN |

| | |
|---|------------|
| Telephone number at premises (if any) | |
| Non-domestic rateable value of premises | £49,000.00 |

Part 2 - Applicant Details

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

- | | | | |
|-----|---|-------------------------------------|-----------------------------|
| a) | an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual * | | |
| | i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| | ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| | iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| | iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) | a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) | a charity | <input type="checkbox"/> | please complete section (B) |
| e) | the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) | a health service body | <input type="checkbox"/> | please complete section (B) |
| g) | a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital | <input type="checkbox"/> | please complete section (B) |
| ga) | a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> | please complete section (B) |
| h) | the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

| | | | | | |
|--|------------------------------|-------------------------------|-----------------------------|--------------------------------|--|
| Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| I am 18 years old or over | | | | | <input type="checkbox"/> Please tick yes |
| 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 | | |
| I am 18 years old or over | | | | | <input type="checkbox"/> Please tick yes |
| 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) | | | | | |

(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 Stay on Target Limited |
|-----------------------------|

| |
|--|
| Address 5-7 High Street, Sunninghill, England, SL5 9NQ 5-7 High Street |
| Registered number (where applicable) 08876383 |
| 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?

| Day | Month | Year |
|---------|-------|------|
| A S A P | | |

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

| Day | Month | Year |
|-----|-------|------|
| | | |

A

Please give a general description of the premises (please read guidance note1)

A ground floor premises forming part of The Great Northern Warehouse. The premises already operates as a sporting venue incorporating axe throwing as a controlled activity. The operators have existing sites in London, Bristol and Birmingham. There will be the sale of alcohol for consumption on the premises but this will be ancillary to the main activity

There are significant public transport possibilities around the area including a large car park and Metro facilities. This will be a venue with wider appeal and events led rather than alcohol-led.

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

| |
|-----|
| N/A |
|-----|

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

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

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

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

☒

Supply of alcohol (if ticking yes, fill in box J)**In all cases complete boxes K, L and M****A**

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

B

| | | | | | |
|--|-------|--------|---|----------|-------------------------------------|
| Films Standard days and timings (please read guidance note 7) | | | Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input checked="" type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| | | | | | |
| Day | Start | Finish | Please give further details here (please read guidance note 4) | | |
| Mon | 08.00 | 23.00 | | | |
| Tue | 08.00 | 23.00 | | | |
| Wed | 08.00 | 23.00 | | | |
| Thur | 08.00 | 00.00 | State any seasonal variations for the exhibition of films (please read guidance note 5) | | |
| Fri | 08.00 | 00.00 | Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| Sat | 08.00 | 00.00 | | | |
| Sun | 08.00 | 23.00 | | | |
| | | | | | |

C

| | | | | |
|---|-------|--------|---|--|
| Indoor sporting events Standard days and timings (please read guidance note 7) | | | <u>Please give further details</u> (please read guidance note 4) Provision of axe throwing which may be viewed by an audience | |
| Day | Start | Finish | | |
| Mon | 08.00 | 23.00 | | |
| Tue | 08.00 | 23.00 | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5) | |
| Wed | 08.00 | 23.00 | | |
| Thur | 08.00 | 00.00 | | |
| Fri | 08.00 | 00.00 | <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) | |
| Sat | 08.00 | 00.00 | | |
| Sun | 08.00 | 23.00 | | |

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 checked="" type="checkbox"/> |
| | | | | | Outdoors | <input type="checkbox"/> |
| | | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 4) | | | |
| Mon | | | | | | |
| Tue | | | | | | |
| Wed | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5) | | | |
| Thur | | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | | |
| Sat | | | | | | |
| Sun | | | | | | |

E

| | | | | | |
|---|-------|--------|--|----------|-------------------------------------|
| Live music Standard days and timings (please read guidance note 7) | | | <u>Will the performance of live 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 | <u>Please give further details here</u> (please read guidance note 4) | | |
| Mon | 08.00 | 23.00 | | | |
| Tue | 08.00 | 23.00 | Soloists and bands playing amplified and unamplified music, which will often be ancillary to a function but could be by the primary purpose of the event. | | |
| Wed | 08.00 | 23.00 | | | |
| Thur | 08.00 | 00.00 | <u>State any seasonal variations for the performance of live music</u> (please read guidance note 5) | | |
| Fri | 08.00 | 00.00 | | | |
| Sat | 08.00 | 00.00 | <u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| Sun | 08.00 | 23.00 | | | |

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 | <u>Please give further details here</u> (please read guidance note 4) | | |
| Mon | 08.00 | 23.00 | | | |
| Tue | 08.00 | 23.00 | Recorded music played on an amplifier controlled by the premises. | | |
| Wed | 08.00 | 23.00 | | | |
| Thur | 08.00 | 00.00 | <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) | | |
| Fri | 08.00 | 00.00 | | | |
| Sat | 08.00 | 00.00 | <u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
| Sun | 08.00 | 23.00 | | | |

G

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|--|-------|--------|---|--|----------|-------------------------------------|
| 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 checked="" type="checkbox"/> |
| | | | | | Outdoors | <input type="checkbox"/> |
| | | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 4) | | | |
| Mon | | | | | | |
| Tue | | | | | | |
| Wed | | | <u>State any seasonal variations for the performance of dance</u> (please read guidance note 5) | | | |
| Thur | | | | | | |
| Fri | | | | | | |
| Sat | | | <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) | | | |
| Sun | | | | | | |
| | | | | | | |

H

| | | | | | | |
|---|-------|--------|--|----------|--------------------------|--|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7) | | | <u>Please give a description of the type of entertainment you will be providing</u> | | | |
| | | | | | | |
| Day | Start | Finish | | | | |
| Mon | | | <u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> | |
| | | | | Outdoors | <input type="checkbox"/> | |
| | | | | Both | <input type="checkbox"/> | |
| 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 | Please give further details here (please read guidance note 4) | | |
| Mon | | | | | |
| Tue | | | | | |
| Wed | | | | | |
| Thur | 23.00 | 00.00 | State any seasonal variations for the provision of late night refreshment (please read guidance note 5) | | |
| Fri | 23.00 | 00.00 | | | |
| Sat | 23.00 | 00.00 | | | |
| Sun | | | | | |
| | | | Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6) | | |
| | | | | | |
| | | | | | |
| | | | | | |

J

| | | | | | |
|--|-------|--------|---|------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 7) | | | Will the supply of alcohol be for consumption (Please tick box) (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 | 11.00 | 23.00 | | | |
| Tue | 11.00 | 23.00 | | | |
| Wed | 11.00 | 23.00 | | | |
| Thur | 11.00 | 00.00 | Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| Fri | 11.00 | 00.00 | | | |
| Sat | 11.00 | 00.00 | | | |
| Sun | 11.00 | 23.00 | | | |

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

| |
|------------------------------------|
| Name Jon Graves |
| Date of birth [REDACTED] |

| | |
|---|------------|
| Address [REDACTED] | |
| Postcode | [REDACTED] |
| Personal Licence number (if known) [REDACTED] | |
| Issuing licensing authority (if known) [REDACTED] | |

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)
None

L

| | | | |
|--|-------|--------|---|
| Hours premises are open to the public Standard days and timings (please read guidance note 7) | | | State any seasonal variations (please read guidance note 5) |
| Day | Start | Finish | |
| Mon | 08.00 | 23.30 | 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) |
| Tue | 08.00 | 23.30 | |
| Wed | 08.00 | 23.30 | |
| Thur | 08.00 | 00.30 | |
| Fri | 08.00 | 00.30 | |
| Sat | 08.00 | 00.30 | |
| Sun | 08.00 | 23.30 | |
| | | | |

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

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

Stay on Target Limited is responding to their customers' request to provide an all-incorporating experience which will include axe throwing but also the provision of alcohol and the showing of videos and recorded music.

The activity is extremely popular in the UK and Worldwide. The sale of alcohol will not be the premises' primary use.

The area to be licensed is purely a bar and reception area, and the 5 lanes are not licensed nor used for the consumption of alcohol only axe throwing.

As far as the axe throwing lanes are concerned, this is not an area which requires licensing intervention

but it is accepted that the Health and Safety Team will require a full and formal risk assessment before that area can be operated.

The lanes can normally be booked for up to 1.5 hours and the tickets range between £20- £30. The provision of drinks is basically to retain customers at the venue who would otherwise go to other licensed premises in the area. The sale of alcohol will be ancillary to all the other activities taking place at the premises. The layout plans show the separation between the areas.

This application if granted will not create a nightclub, nor a vertical drinking establishment. A substantial portion of the site will be dedicated to a minimum of 5 lanes and the operation will not create the same sort of issues as the Authorities have at licensed bars, clubs or pubs. The most profitable part of the venture is in the booking of events and corporate events. The bar is mainly a feeder for customers but they require the option of other people attending to have a drink and to see/experience the operation.

Risk Assessments and other documents will be made available on request to ensure the documents are not made public. They contain sensitive material and are to remain confidential.

The Applicant and legal adviser had the benefit of a pre consultation meeting with Alan Isherwood of Greater Manchester Police licensing department in relation to this application.

Prior to making any adverse comments, the Applicants would welcome meeting any party to discuss the operation in more detail.

b) The prevention of crime and disorder

1. The occupancy shall be restricted to 100 persons in the premises. The Premises Licence Holder shall ensure that there are appropriate management controls to ensure that the occupancy figure is not exceeded at any time.
2. CCTV shall be in use at the premises.
 - (i) Where a CCTV system is to be installed, extended or replaced, it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police. Where a CCTV system is to be installed it shall be fully operational prior to opening
 - (ii) The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards.
 - (iii) The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority.
 - (iv) The correct time and date will be generated onto both the recording and the real time image screen.
 - (v) If the CCTV equipment breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified.
 - (vi) The premises Licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority or a constable.
 - (vii) There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during opening hours
3. The premises will operate a zero tolerance to drug and weapons being taken in to the premises.
4. The premises licence holder shall ensure that a clearly visible notice will be placed on the premises advising those attending, that the Police will be informed if anyone is found in possession of controlled substances or weapons.

5. The premises licence holder shall ensure that all drinking glasses used within the premises are of toughened or safety glass to the appropriate safety standard, in that they shall not produce sharp shards when broken.
6. The premises will operate as an axe throwing venue where the sale of alcohol for consumption on the premises is ancillary.

c) Public safety

1. The premises licence holder shall ensure that suitable measures are implemented to ensure the safety of customers including disabled persons. Regard should be made to any particular aspect of the premises layout or nature of activities that may pose particular hazards.
2. The premises licence holder shall ensure that first aid provision is available at all times that licensable activity is taking place and shall have a suitably qualified first-aider on the premises during that period.

d) The prevention of public nuisance

1. In relation to the customers smoking, the premises licence holder will ensure that:
 - (i) The area must be adequately monitored by CCTV to ensure that patrons do not cause a nuisance, patrons do not obstruct access to adjoining premises and risk of crime and disorder in this area is adequately controlled.
 - (ii) Patrons will not be allowed to take drinks outside.
 - (iii) The outside area must be provided with suitable ashtrays/bins
 - (iv) The area must be regularly swept to remove cigarette ends
 - (v) Adequate arrangements must be made to prevent overcrowding or disorder in the outside area.
2. Amplified music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.
3. No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.

e) The protection of children from harm

1. All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instance when legislation changes, and should include training on how to deal with difficult customers, underage sales. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable.
2. All customers attending the venue will be over the age of 18 years.

Please tick yes

- I have made or enclosed payment of the fee or ☒
- I have not made or enclosed payment of the fee because the application has been made in relation to the introduction of the late night levy ☐
- 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 11). **If signing on behalf of the applicant please state in what capacity.**

| | |
|--------------------|---|
| Declaration | <ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 14) • 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 right to work checking service which confirmed their right to work (please read guidance note 15) |
| Signature |  |
| Date |  |
| Capacity |  |

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) <div style="background-color: black; height: 40px; width: 100%;"></div> | | | |
| Post town | | Post code | |
| Telephone number (if any) | | | |
| If you would prefer us to correspond with you by e-mail your e-mail address (optional) <div style="background-color: black; height: 20px; width: 100%;"></div> | | | |

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 following documents (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 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, 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;

- (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 check 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 should submit copy documents as set out above.

AG

**CONSENT OF INDIVIDUAL TO BEING SPECIFIED AS
PREMISES SUPERVISOR**

To be completed in block capitals

I Mr Jon Graves of [REDACTED] hereby confirm that I give my consent to be specified as the Designated Premises Supervisor in relation to the application for a New Premises Licence by Stay on Target Limited relating to a Premises Licence for Whistle Punks, Unit 20 Great Northern Warehouse, 235 Deansgate, Manchester, M3 4EN and any premises licence to be granted or varied in respect of this application made by Stay on Target Limited concerning the supply of alcohol at Whistle Punks, Unit 20 Great Northern Warehouse, 235 Deansgate, Manchester, M3 4EN

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

Personal Licence Number:-

[REDACTED]

Personal Licence Issuing Authority:-

[REDACTED]

Signed

[REDACTED]

Name Printed JON ANTHONY GRAVES

Dated 12/08/2020

AG

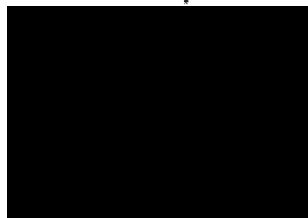
ENQUIRY FORM

Your date of birth, place of birth and nationality are now required by law. You do not have to provide your telephone number, however this can assist Constabularies with carrying out their checks and they may wish to contact any new applicants directly to arrange a meeting.

| | |
|------------------------------------|--------------------|
| Full Name: | Jon Anthony Graves |
| Nationality | ██████ |
| Date of Birth: | ██████ |
| Place of Birth: | ██████ |
| National Insurance Number : | ██████ |
| Mobile Tel.No: | ██████ |

I hereby consent for my personal information to be disclosed to all relevant Responsible Authorities under the Licensing Act 2003 in respect of my appointment as Designated Premises Supervisor for the premises detailed above.

Signed


Name Printed Jon Anthony GravesDated 12/08/2020

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

Document is Restricted

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| | |
|--|---|
|  MANCHESTER CITY COUNCIL | |
| Licensing & Out of Hours Compliance Team - Representation | |
| Name | Margaret Lewis |
| Job Title | Neighbourhood Compliance Officer |
| Department | Licensing and Out of Hours Compliance Team |
| Address | Level 1, Town Hall Extension, Manchester, M60 2LA |
| Email Address | [REDACTED] |
| Telephone Number | [REDACTED] |

| | |
|------------------------|--|
| Premise Details | |
| Application Ref No | 249014 |
| Name of Premises | Whistle Punks - Urban Axe Throwing |
| Address | Unit 20, Great Northern Warehouse, 235 Deansgate, Manchester, M3 4EN |

| | |
|--|-------------------------|
| Representation | |
| <p>Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.</p> | |
| <p>Licensing and out of hours team (LOOHT) have assessed the likely impact of granting the licence , taking into account a numbers of factors, including, the nature of the area in which the premises is located, the hours applied for and any potential risk that the granting of this application could undermine the licensing objectives.</p> <p>The applicant Stay on Target Limited have an experience of axe throwing they have applied to have a licence for, late night refreshments, alcohol, live and recorded music to enhance the experience.</p> <p>They state that alcohol is not the primary function, but to allow others to attend and to retain customers and the end.</p> <p>Stay on Target Limited trading as Whistle Punks state when booking on their site that if people wishing to partake in axe throwing are suspected to have consumed alcohol they will not be allowed to partake.</p> <p>LOOH have a concerns for public safety if customers are allowed to drink on site prior to or during the game, but do not have an issue of spectators or customer consuming alcohol after the game. There for we ask that the following condition be applied:</p> <p>No person due to take part in axe throwing are allowed to drink on site prior to or during the axe throwing session</p> <p>LOOH believe if this condition is attached to the application then approve with conditions.</p> | |
| Recommendation: | Approve with Conditions |

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 | |
| | | |
| 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: |
| Whistle Punks |
| Address of the Premises (including postcode if known): |
| Unit 20, The Great Northern Warehouse, 235 Deansgate, M4 3EN |

| 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 has very little 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. It is a mandatory condition under the Licensing Act 2003 that an age verification policy is in place in relation to the sale of alcohol. We would therefore like the following conditions attached to the licence should it be granted:</p> <p>1. That a Challenge 25 policy is implemented</p> |

2. 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 before being served alcohol.
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 of alcohol 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.)

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

Document is Restricted

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Schedule of Licence Conditions

| Conditions consistent with the operating schedule | Agreed | Proposed by |
|---|--------|-------------|
| <ol style="list-style-type: none"> 1. The occupancy shall be restricted to 100 persons in the premises. The Premises Licence Holder shall ensure that there are appropriate management controls to ensure that the occupancy figure is not exceeded at any time. 2. CCTV shall be in use at the premises: <ul style="list-style-type: none"> ○ Where a CCTV system is to be installed, extended or replaced, it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police. Where a CCTV system is to be installed it shall be fully operational prior to opening ○ The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards. ○ The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority. ○ The correct time and date shall be generated onto both the recording and the real time image screen. ○ If the CCTV equipment breaks down the Premises Licence Holder shall ensure that the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified. ○ The premises Licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority or a constable. ○ There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during opening hours 3. The premises shall operate a zero tolerance to drug and weapons being taken in to the premises. 4. The premises licence holder shall ensure that a clearly visible | N/A | Applicant |

Schedule of Licence Conditions

| | | |
|--|--|--|
| <p>notice shall be placed on the premises advising those attending, that the Police shall be informed if anyone is found in possession of controlled substances or weapons.</p> <ol style="list-style-type: none"> 5. The premises licence holder shall ensure that all drinking glasses used within the premises are of toughened or safety glass to the appropriate safety standard, in that they shall not produce sharp shards when broken. 6. The premises shall operate as an axe throwing venue where the sale of alcohol for consumption on the premises is ancillary. 7. The premises licence holder shall ensure that suitable measures are implemented to ensure the safety of customers including disabled persons. Regard should be made to any particular aspect of the premises layout or nature of activities that may pose particular hazards. 8. The premises licence holder shall ensure that first aid provision is available at all times that licensable activity is taking place and shall have a suitably qualified first-aider on the premises during that period. 9. In relation to the customers smoking, the premises licence holder shall ensure that: <ul style="list-style-type: none"> ○ The area shall be adequately monitored by CCTV to ensure that patrons do not cause a nuisance, patrons do not obstruct access to adjoining premises and risk of crime and disorder in this area is adequately controlled. ○ Patrons shall not be allowed to take drinks outside. ○ The outside area shall be provided with suitable ashtrays/bins. ○ The area shall be regularly swept to remove cigarette ends. ○ Adequate arrangements shall be made to prevent overcrowding or disorder in the outside area. 10. Amplified music shall not be played at a level that shall cause unreasonable disturbance to the occupants of any properties in the vicinity. 11. No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises. 12. All staff shall be trained in the prevention of underage sales to a level commensurate with their duties. All such training shall be updated as necessary, for instance when legislation changes, and shall include training on how to deal with difficult customers, underage sales. The training shall be clearly documented and | | |
|--|--|--|

Schedule of Licence Conditions

| signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable. | | |
|---|--------|-------------------------------|
| 13. All customers attending the venue shall be over the age of 18 years. | | |
| | | |
| Conditions proposed by objectors | Agreed | Proposed by |
| <p>14. That a Challenge 25 Policy is implemented.</p> <p>15. 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 before being served alcohol.</p> <p>16. 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>17. The premises shall display prominent signage indicating at any point of sale of alcohol and at the entrance to the premises that the Challenge 25 scheme is in operation.</p> <p>18. 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>19. A refusals record shall be kept at the premises which details all refusals to sell alcohol. This record shall 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 shall be made within 24 hours of the refusal. The record shall be made available for inspection and copying within a reasonable time of a request by an officer of a Responsible Authority.</p> <p>20. 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 | No | The Trading Standards Service |

Schedule of Licence Conditions

| | | |
|--|----|----------------------------|
| <p>21. Training shall 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.</p> | | |
| <p>22. No person due to take part in axe throwing shall be allowed to drink on site prior to or during the axe throwing session.</p> | No | Licensing and Out of Hours |

Manchester City Council Report for Resolution

Report to: Licensing Subcommittee Hearing Panel – 12 October 2020

Subject: Puffin Box, Basement Hilton House, 26-28 Hilton Street, Manchester, M1 2EH - ref: LTN251164

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendations

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

Wards Affected: Piccadilly

| 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: Grace Ollier
 Position: Technical Licensing Officer
 Telephone: 0161 234 4375
 E-mail: Premises.licensing@manchester.gov.uk

Background documents (available for public inspection):

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

1. **Introduction**

- 1.1 On 29 September 2020, a temporary event notice (TEN) was given under s100A of the Licensing Act 2003 in respect of Puffin Box, Basement Hilton House, 26-28 Hilton Street, Manchester, M1 2EH in the Piccadilly ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 In accordance with Licensing Act 2003 regulations, Greater Manchester Police (GMP) and Licensing Out of Hours Compliance (LOOH) were notified of the TEN.
- 1.3 Where either GMP or LOOH is satisfied that allowing the premises to be used in accordance with the TEN would undermine a licensing objective, they must give an objection notice to the relevant licensing authority, the premises user, and to every other relevant person.
- 1.4 The objection notice must be given no later than three working days after the day on which the objector is given the TEN.
- 1.5 An objection notice has been received in respect of this TEN and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. **The Notice**

- 2.1 A copy of the TEN is attached at **Appendix 2**.
- 2.2 The premises user is Natalie Lea.
- 2.3 The description of the event is a socially distanced, immersive, covid-safe music experience.
 - 2.3.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this TEN.
 - 2.3.2 Any further details provided relating to any of the individual licensable activities are specified on the TEN at **Appendix 2**.
- 2.4 **Activities unsuitable for children**
 - 2.4.1 The premises user has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
- 2.5 **Further documentation accompanying the application**
 - 2.5.1 The premises user has submitted the following documents in support of the TEN, which are included with the application form at **Appendix 2**:
 - Event Plan Version 4

3. **Objection Notice(s)**

3.1 An objection notice was received from GMP and from LOOH in respect of the TEN (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these objections will be available to the Panel at the hearing.

3.2 Summary of the objections:

| Party | Grounds of representation | Recommends |
|--|---|------------------------|
| GMP | The event would break current regulations regarding loud music and dancing. | Serve a counter notice |
| Licensing and Out of Hours Compliance | Concerns over limited air flow/ fresh air in basement premises, the close proximity of residential and other licensed premises, that the event would break current regulations regarding nightclubs, the size of group bookings exceed 6 people and could be from multiple households and the bottleneck effect of patrons leaving the venue at 10pm. | Serve a counter notice |

4. **Key Policies and Considerations**

4.1 **Legal Considerations**

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

4.2 **New Information**

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

4.3 **Hearsay Evidence**

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

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

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

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

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

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

4.5 **Manchester Statement of Licensing Policy**

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

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

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

4.5.4 Where the authority considers that to impose on the TEN one or more of the conditions from a premises licence or club premises certificate in force at the premises (insofar as such conditions are not inconsistent with the event) is appropriate for the promotion of the licensing objectives, the policy is to give notice to the premises user that includes a statement of the conditions imposed. Copies of this notice will be provided for GMP and LOOH.

4.5.5 Where, following any representations at the hearing, the licensing authority is not satisfied the event will ensure the promotion of the licensing objectives, the policy is to issue a counter-notice against the Temporary Event Notice.

5. **Conclusion**

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

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

- 5.2 In considering the matter, the Panel should take into account any objections that have been received from GMP or LOOH, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council's licensing policy statement.
- 5.3 Having regard to the objection notice(s), the panel must give the premises user a counter notice if it considers it appropriate for the promotion of a licensing objective to do so.
- 5.4 If the panel decides not to give a counter notice the panel may impose one or more conditions on the TEN if –
- the authority considers it appropriate for the promotion of the licensing objectives to do so,
 - the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and
 - the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.
- 5.5 All licensing determinations should be considered on the individual merits of the notification.
- 5.6 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 5.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 6. The Panel is asked to determine the temporary event notice.**



| | |
|-------------------------|---|
| PREMISE NAME: | Puffin Box |
| PREMISE ADDRESS: | Basement Hilton House, 26-28 Hilton Street, Manchester, M1 2EH |
| WARD: | Piccadilly |
| HEARING DATE: | 12 th October 2020 |

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Temporary Event Notice

Payment Transaction number:- ASB/593973 | Form Reference number ASB/3874971

Premises User Information

| |
|--|
| Title |
| Ms |
| If other please state |
| n/a |
| Surname |
| LEA |
| Forenames |
| NATALIE |
| Previous names (Please enter details of any previous names or maiden names, if applicable) |
| n/a |
| Your date of birth |
| |
| Your place of birth |
| |
| National Insurance Number |
| |
| Your current address (We will use this address to correspond with you unless you complete the separate correspondence box) |
| |
| |
| |
| |
| Telephone |
| |

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email address

Address

n/a

Telephone

n/a

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email

n/a

Premises information

Please give the name and address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references)

HILTON HOUSE
HILTON STREET
MANCHESTER
M1 2EH

Premises licence number

n/a

Club premises certificate number

n/a

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details.

THE BASEMENT ONLY

Please describe the nature of the premises

Hilton House is the creative community hub of the northern Quarter; providing office and creative spaces to revitalise what is a former Manchester Polytechnic building

Please describe the nature of the event

Puffin Box is a socially distanced, immersive, covid-safe music experience. Embark on an electryfying 90-minute music experience within your own social bubble; with trakeovers from both renowned Manchester and International brands and DJ collectives.

Licensable activities

The sale by retail of alcohol

Yes

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

No

The provision of regulated entertainment

Yes

The provision of late night refreshment

No

Are you giving a late temporary event notice?

No

Please state the dates on which you intend to use these premises for licensable activities.

22nd, 23rd and 24th October 2020

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock).

11.45 to 22.00 daily

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers (maximum 499).

45

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both

On

Please state if the licensable activities will include the provision of relevant entertainment.

No

If yes selected, please state the times during the event period that you propose to provide relevant entertainment.

n/a

Personal Licence Details

Do you currently hold a valid Personal Licence?

Yes

Issuing Authority

Manchester City Council

Licence Number

184548

Date of Issue

n/a

Date of Expiry

n/a

Any further relevant details

n/a

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes

If answering yes, please state the number of temporary event notices you have given for events in that same calendar year

1

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your associate have given for events in the same calendar year

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Declaration and Payment New

Name

Capacity in which you are making this application

Agent on behalf of Natalie Lea and Puffin Box Ltd

Additional information

I_understand Yes

These are the files included with this application :-

Acknowledgement

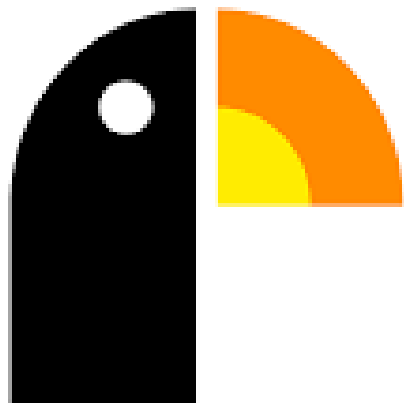
I acknowledge receipt of this temporary event notice

Signature:

On behalf of the Licensing Authority

Date:

Name of officer signing:



**PUF
FIN
BOX**

**PUFFIN BOX IS A FULLY IMMERSIVE,
EXPERIENTIAL, LIVE MUSIC EVENT**

EVENT PLAN VERSION 4



PUFFIN BOX EVENT PLAN

Contacts;

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

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

[REDACTED]
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[REDACTED]
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Introduction

This document provides information on the planning and implementation of management and operational procedures relating to regulated entertainment and the sale of alcohol at Puffin Box, a temporary, experiential entertainment venue operated by Puffin Box Ltd, Manchester.

The organisers will ensure that entertainment activities and the sale of alcohol is undertaken in a responsible and controlled manner as detailed in our Temporary Event Notices.



Overview

Puffin Box is a socially distanced, immersive, covid-compliant raving experience. Embark on an electrifying 90-minute mini-clubbing experience within your own social bubble, with takeovers from both renowned Manchester and international club brands and DJ collectives.

Set against an industrial backdrop, Puffin Box is located in the basement of Northern Quarter's creative community hub, Hilton House. Puffin Box offers a socially distanced raving immersive experience. Bringing an eclectic music offering from Disco, Soul, Funk, Hip-Hop, House to Techno. Supported and backed by United We Stream, Sacha Lord and Andy Burnham.

Proposed Dates

Week One Events – 22/23/24 October 2020

Week Two Events – 29/30/31 October 2020

Week Three Events – 5/6/7 November 2020

Events will continue on TENs within the 21 day total limit by which time we hope to have secured a premises license for the space.

Opening Hours

Thursday 3.15pm – 10pm (4 x 90 minute sessions)

Friday – 3.15pm – 10pm (4 x 90 minute sessions)

Saturday 11.45pm – 10pm (6 x 90 minute sessions)

Sunday 11.45pm - 10pm (6 x 90 minute sessions)

Management

Set up by Co-Founders Natalie Lea & Kat Warburton.



Nat

Nat has over 10 years of experience in the events industry as a Senior Venue and Event Manager, Nat has operated and run some of Manchester's best and award-winning venues and events. In 2013 after stints in London, Brighton and New York, Nat returned to Manchester to take on dual role of Venue Manager at Gorilla and Event Manager at Albert Hall. When Albert Hall opened its doors full time she was given the role of General Manager and has worked on hundreds of shows including La Discotheque, Run The Jewels, Sam Smith, Hacienda with Frankie Knuckles, Johnny Marr & Sharon Jones.

Moving on from Albert Hall, Nat was promoted to Head of Club, Live & Entertainment for Mission Mars, heading up a team of Programmers, Promoters and Creative Producers.

Nat has also worked on many other events and festivals including Parklife, Neighbourhood Weekender, Pride, BBC Radio 1Xtra & Beyonce's show at Wembley Stadium.

Kat

15 years ago Kat began running her DnB club brand 'Look What The Kat Dragged In' which saw Chase & Status opening up the series. She worked for 5 years at the events & ticket outlet Skiddle.com as Senior Account Manager. After which she travelled to Australia to begin a Business Development Manager role at iRock Entertainment, Sydney's leading club-night & festival organisers.

After 18 months she returned to the UK for a club events assistant role at Mission Mars, formally Trof; covering The Deaf Institute, Gorilla & Albert Hall. She was promoted to Club Programmer for The Deaf Institute & Gorilla, and eventually given the role of Albert Hall Club Programming Manager in 2017 bringing her time at Mission Mars to 7 years.

It is here she created the award-winning disco club-night 'La Discotheque', now in its 4th year it's taking the club world by storm holding residencies in London, Manchester, Leeds, Ibiza as well as hosting tents at various festivals across the UK.

Natalie Lea – Director
Personal Licence Holder No. 184548

Katherine Warburton – Director
Jason Smith – General Manager



Louise Grant – Head of Security

Jason Smith will be overseeing the day to day operation of Puffin Box.

A list of Personal Licence holders will be included in this version once all staff have been recruited.

Occupancy

Up to 30 customers – socially distanced in their own 'social bubble' + staff, artists and security. Approx 40-45 people on site at any one point.

Security Plan

(Dependant on capacity – All SIA licensed

Position 1 – SIA - Front door / Venue Entrance

Position 2 – SIA Inside the main room – static by the lift

Position 3 – SIA Response/ Roamer

Ingress & Egress – (pre-booked boxes)

Staggered entry and exit for all social bubbles/Puffin Boxes into and out of the venue at the start and end of each session.

*Once the 8:30pm session has arrived, egress will be via the front doors of Hilton House on Hilton St as per the venue tenancy agreement.

Bag searches;

PPE - Security to wear masks and gloves whilst carrying out bag searches.

Bag searches will take place at the front door (on Tariff St).

Risk Assessment on site from FGH regarding Covid-19 plan.

As an extra precaution coloured wristbands will be given to each Puffin Box party on arrival. This will ensure people stay in their own box and social bubble.

Lights on – This is how guests will signal that they want to leave their box (only reasons for leaving their box are to smoke or go to the toilet)

Floor staff to lead, security to support.

Smoking Area

Location – Ground floor outside on Hilton Street. This will be a demarcated area with a monitored capacity of guests – social distancing will be insisted on in this area too.

Toilets

Toilets are situated on the first floor



More Security information will be supplied by FGH.

Operations

When guests arrive at the venue there will be 5 numbered umbrellas on Tariff St. The location will allow adequate space for pedestrians to pass by Puffin Box guests and ensure social distancing.

Guests will stand under the corresponding number umbrella to their box and be briefed by the host on the 'Puffin House Rules'. Guests are asked to arrive 15 minutes before their session starts.

Puffin House Rules;

- Each guest is issued a PB wristband corresponding to their box. They will have this put on as they arrive and brief to stay within your box group. Guests will be asked to visibly remove this as they leave.
- Once in the venue you are only allowed to exit your Puffin Box to smoke or use the toilets. There is a light that will signal a member of staff over, when appropriate they will be allowed to exit their box.
- Each session (5 boxes - 6 people max per box) last for 90 minutes. We have 4 sessions every Thursday & Friday between 15:15-22:00 and 6 sessions every Saturday & Sunday 11:45 - 22:00.

Alcohol Consumption

Drinks are pre-ordered & paid in advance at the time of booking. All tickets and pre-paid drinks packages are ordered via Skiddle (our only ticketing provider).

Drinks are stocked in a fridge in the box when guests arrive, there is no bar for guests to exit their boxes.



Overview of COVID-19 Controls

At Puffin Box we are committed to maintaining a safe environment for all. Health and safety is of the upmost importance and our entire concept is built around guests being able to socialise safely with their party whilst maintaining social distance from others.

Listed below are key measures that will be put in place;

- Covid-19 Safety officer to implement, monitor and constantly seek to improve new systems.
- All ticket purchases include details of person buying tickets and contact details for track & trace
- All attendees will use the NHS Test & Trace QR Code at the entrance
- No more than 6 people per box
- 40 guests per session – 90 minute session.
- Ample space between the DJ, performers and other guests
- One way system (see security plan)
- Boxes fully disinfected between sessions.
- Pre-paid drinks delivered to boxes in advance
- Card payments only
- Hand sanitiser stations on entrance and around the venue
- Welcome briefing on 'house rules' including brief on Covid safety measures and ordering systems.
- Managed queuing to toilet facilities
- Staff to complete a Health declaration each day with details recorded for track & trace
- No staff to have been ill in the last 48 hours on site

COVID 19 RISK MANAGEEMNT FOR PUFFIN BOX

Social Distancing

Social distancing is the term used for measures that reduce physical contact between infectious and susceptible people during a disease outbreak. They do not involve drugs or vaccines (they are 'non-pharmaceutical') but include measures such as maintaining a minimum distance between individuals, banning mass gatherings, closing schools and workplaces and limiting travel. The challenge is to find out which forms of social distancing work best for COVID-19 – the subject of continuing research.

Reducing the number of contacts between people must, to some extent, limit the transmission of the new coronavirus. The evidence for how best to stop transmission comes from preliminary studies of the current COVID-19 pandemic and from previous outbreaks of other infections, especially influenza.

Social distancing is used to protect public health during an outbreak. Its effects are not usually investigated in formal scientific experiments, so the strength of the evidence is limited. Scientists and policymakers have to take



this into account, as well as the differences between COVID-19 and other infections such as influenza.

NB: At the time of preparing this document the social distancing recommended by the UK Government is 2m wherever possible and if not then what they have termed 1m+. This is because the difference in efficacy between 2m and 1m is small and the risk of contracting the virus is only slightly elevated by the shorter distance.

The reduction to 1m+ enabled many areas of work to re-start and assisted with the re-opening of pubs, restaurants, etc. The "+" (plus) part of the 1m+ is not just about distancing, but about additional measures such as face-coverings, facing away from people, screens, etc.

The announcements on 22nd September 2020 have consolidated many of the rules that have been advisory, have reduced group sizes (non-family/support bubble) to six and have increased the importance of the test and trace app – all of which Puffin Box is embracing. Although venues can stay open late than 10pm, alcohol sales are prohibited beyond this time and so Puffin Box is currently intending to close at 10pm.



COVID19 RISK MANAGEMENT AT PUFFIN BOX

Puffin Box (PB) is well aware of its duty of care for all those affected by its business operations under the Health & Safety at Work Act.

With all events PB aims to go above and beyond the minimum requirements for reducing risk, while accepting that there needs to be some acceptance of risk both by participants and organisers with respect to running a live music or dance event.

After a number of years of operating various events, the PB directors have honed operations at each of its sites to ensure that risk management and the safety of all is uppermost in planning throughout each event – this document aims to deal specifically with COVID19 risk in the basement of the Northern Quarter's creative community hub, Hilton House. for the Puffin Box series of events in October/November 2020.

HAZARD ANALYSIS

The hazard that needs to be dealt with is contraction of the Coronavirus and development of COVID19.

RISK ASSESSMENT

LIKELIHOOD

The likelihood of passing on or contracting the disease is difficult to assess – the UK Government is using the reproduction number (R). The reproduction number is a way of rating a disease's ability to spread.

It's the number of people that one infected person will pass the virus on to, on average

Measles has one of the highest numbers in town with a reproduction number of 15 in populations without immunity. It can cause explosive outbreaks.

The new coronavirus, known officially as Sars-CoV-2, has a reproduction number of about three, but estimates vary.

How is R calculated?

You cannot capture the moment people are infected; instead scientists work backwards.

Using data - such as the number of people dying, admitted to hospital or testing positive for the virus - allows you to estimate how easily the virus is spreading.

Generally this gives a picture of what the R number was two to three weeks ago. Regular testing of households should soon give a more timely estimate.

Why is a number above one dangerous?

If the reproduction number is higher than one, then the number of cases increases exponentially - it snowballs like debt on an unpaid credit card.

But if the number is lower, the disease will eventually peter out, as not enough new people are being infected to sustain the outbreak.

Governments everywhere want to force the reproduction number down from about three (the R number if we took no action) to below one. (BBC News 18 May 2020)



SEVERITY

Although there is statistical evidence that many more people survive contracting COVID19 than die, the Government chooses the "death" data as it undoubtedly assists in driving home the message that this is a serious situation and enables the Government to engender better buy-in to lockdown, social distancing, etc.

That said, the Severity in any assessment here has to be the highest as death and multiple deaths are a consequence of passing on and contracting the virus.

METHODOLOGY GOING FORWARD

This document will then deal with our assessment of different areas of the PB operation at Hilton House and the relation to the **one hazard** being considered here – the contraction of COVID19 by those working, attending and affected by this event and the risk that this may come about.

The mitigation measures and controls proposed in the assessments below will be checked and maintained on site by the staff under the supervision of the event manager and the event H&S Advisor when on site.

Many of the control measures noted rely on PB communicating information to staff, contractors and attendees. This will be managed contractually, on-line, in person, by site briefings, signage and reminders from staff. However, aside from security and stewarding staff speaking directly to guests, enforcement of control measures is difficult. Therefore PB reserves the right to ask persistent offenders to leave the site and will use show-stops and shutting off the music as additional methods to illicit compliance from attendees.

RISK ASSESSMENTS



| Company | Puffin Box | | | Date | 11 Sep 2020 |
|--|---|--|---|----------------------------|---------------------|
| Event | Puffin Box at Hilton House | | | Review date | During build |
| Activity | Dance event planning & build for staff & contractors | | | Author | ██████████ |
| Hazard | Who could be harmed and how | All controls required | How controls will be checked | Responsibility | |
| Contracting COVID19 - information NB: All information based on Gov advice | staff, participants and attendees | Staff & Contractor guide circulated to all working at the event – including contractors and bar staff. Site induction and health declaration for staff – online in advance. | Follow up briefing on arrival at site. Declaration populates spreadsheet to be checked on site arrival | PB/Safety PB/Safety | |
| Contracting COVID19 – social distancing NB: Gov guidance | Staff and contractors | During set up, wherever possible, staff will stay 2m apart. Where 2m cannot be maintained (eg during Manual Handling Operations) then PPE and posture (face away). | Briefing and reminders on site Briefing and reminders on site (PPE in the form of face coverings and disposable gloves). | PB PB | |



| | | | | |
|----------------------------------|-----------------------|--|---|---|
| doc updated 14 June | | <p>Site meetings held outside so that 2m can be maintained.</p> <p>All staff to have access to face coverings and disposable gloves.</p> <p>Signage reminders as per images at end of this document</p> | <p>Space allocated, reminders each meeting.</p> <p>Spares available on site</p> <p>Signs to be put up before bulk of staff arrive and regularly checked</p> | <p>PB</p> <p>All employers and PB</p> <p>PB</p> |
| Contracting COVID19 - hygiene | Staff and contractors | <p>Hand Sanitizer available from start of build.</p> <p>Staff and contractors encouraged to bring their own hand-gel.</p> <p>Signage across the site to encourage regular hand-washing or hand sanitizing.</p> <p>Waste bins available across site – regularly emptied by site cleansing crew.</p> <p>Hand washing and/or sanitizing close to toilets.</p> | <p>Bottles available to all – regularly cleaned</p> <p>Pre-event information</p> <p>See example of signage at end of this document – checks on site</p> <p>Placed out from start of build – regularly emptied.</p> <p>Bottles placed and signed</p> | <p>PB</p> <p>PB</p> <p>PB</p> <p>PB</p> <p>PB</p> <p>PB/Cleaner</p> |



| | | | | |
|--|--|---|---|--|
| | | All toilets regularly cleaned and all surfaces sanitized. | Cleaning staff to wear PPE as appropriate and discard of all cloths used each time. | |
|--|--|---|---|--|

| Company | Puffin Box | | | Date | 11 Sep 2020 |
|--|---|--|--|----------------|--------------|
| Event | Puffin Box at Hilton House | | | Review date | During build |
| Activity | Live site for staff and attendees | | | Author | ████████ |
| Hazard | Who could be harmed and how | All controls required | How controls will be checked | Responsibility | |
| Contracting COVID19 - information NB: All information based on Gov advice | All on site (i.e. if attendees and staff don't follow rules, all are at risk) | Information at reception on arrival | Signage and details for distancing posted | PB | |
| | | Individual umbrella for each group by the entrance – umbrellas distanced from each other | 5 umbrellas as required with reminders about social distancing | PB | |
| | | PA Announcement for welcome and reminder | Agree script and prompt stage management to comply | PB | |
| | | | Check signage is in place | PB | |



| | | | | |
|---|-------------|--|---|---|
| | | Queue areas have signage at 2m intervals to mark out social distancing | before opening; stewards and security to engage with attendees to remind them to social distance. | |
| Contracting COVID19 – social distancing NB: Gov guidance updated 23 June | All on site | <p>All arrivals are staggered, spaced and numbers reduced to ensure social distancing can be observed. All tickets will be sold in advance reducing staff contact with attendees.</p> <p>Umbrellas, barriers, ground marks and signage used to create queuing areas</p> <p>One way system throughout internal areas</p> <p>Microphone and script available for show stop if social distancing not followed</p> <p>Access to toilets and smoking area regulated by security –</p> | <p>Queue processed in order and reminders to observe 2m distance</p> <p>Maximum 30 persons (5 x group of 6) per session</p> <p>Marked to ensure enough space for social distancing at 2m</p> <p>Security and stewards on duty to remind attendees and maintain one way movement</p> <p>Agree script</p> <p>Security briefed on system – hosts brief guests.</p> | <p>PB</p> <p>PB</p> <p>PB</p> <p>PB</p> <p>PB</p> |



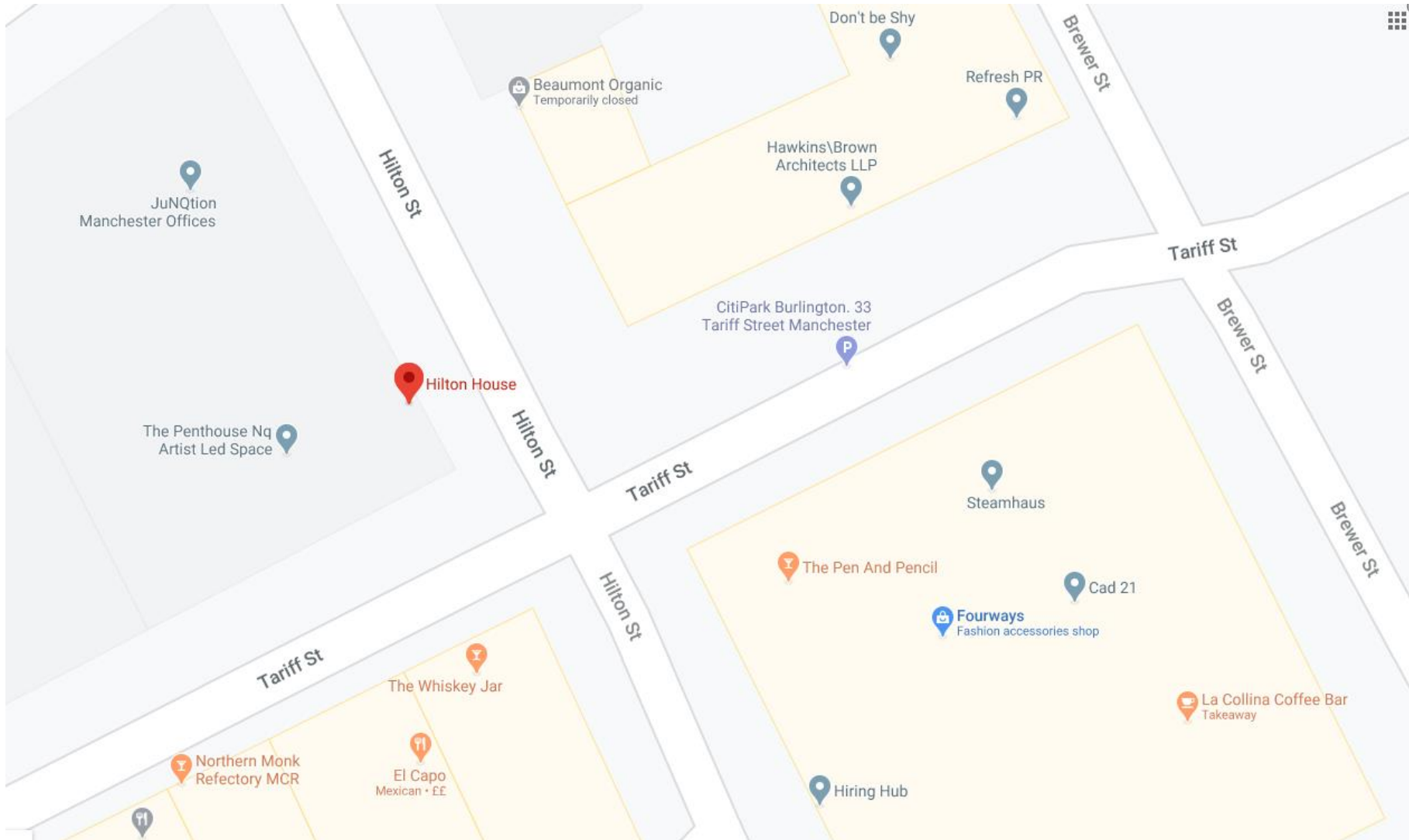
| | | | | |
|-------------------------------|-------------|---|---|---|
| | | <p>group flashes light for attention to leave space or order more drinks (initial drink order in fridge within "Box").</p> <p>Each session is 90 minutes only – entire venue is cleared after each session and before next session is allowed entry</p> | <p>Ensure full cleansing of boxes between sessions – only ever 40 guests in at any one time.</p> | PB |
| Contracting COVID19 - hygiene | All on site | <p>All attendees asked to make a declaration of their health as part of the ticketing process.</p> <p>Attendees asked to be self-sufficient with regard to hand gels for hand sanitization, but additional available on site.</p> <p>Additional hand sanitizer placed around the site for public use.</p> <p>Signage across the whole venue to remind guests and all on site to regularly sanitize hands.</p> <p>Waste bins available across site – regularly emptied by site cleansing crew.</p> | <p>Ensure this is in place and keep records for track and trace (through ticket company)</p> <p>Ensure in notes and online – make security aware when carrying out entry searches.</p> <p>Signage to ensure all know they can "help themselves".</p> <p>Check signage is up before opening venue</p> <p>Placed out from start of build – regularly emptied.</p> | <p>PB</p> <p>PB</p> <p>PB</p> <p>PB</p> <p>PB</p> |



| | | | | |
|-------------------------------|-----------|--|---|-------------------------------|
| | | <p>Hand washing and/or sanitizing close to all toilets.</p> <p>All toilets regularly cleaned and all surfaces sanitized.</p> <p>All bar ware single use and disposable (recycling?).</p> | <p>Placed and signed</p> <p>Cleaning staff to wear PPE as appropriate and discard of all cloths used each time.</p> <p>Signage to ask attendees to bin all empties – cleansing after each session</p> | <p>PB</p> <p>PB</p> <p>PB</p> |
| Contracting COVID19 - welfare | Attendees | <p>All attendees to make a health declaration as part of ticket process.</p> <p>All security staff have emergency first aid training</p> | <p>Ensure in place and check all complete.</p> <p>Register all security staff for each day/session</p> | <p>PB</p> <p>PB</p> |



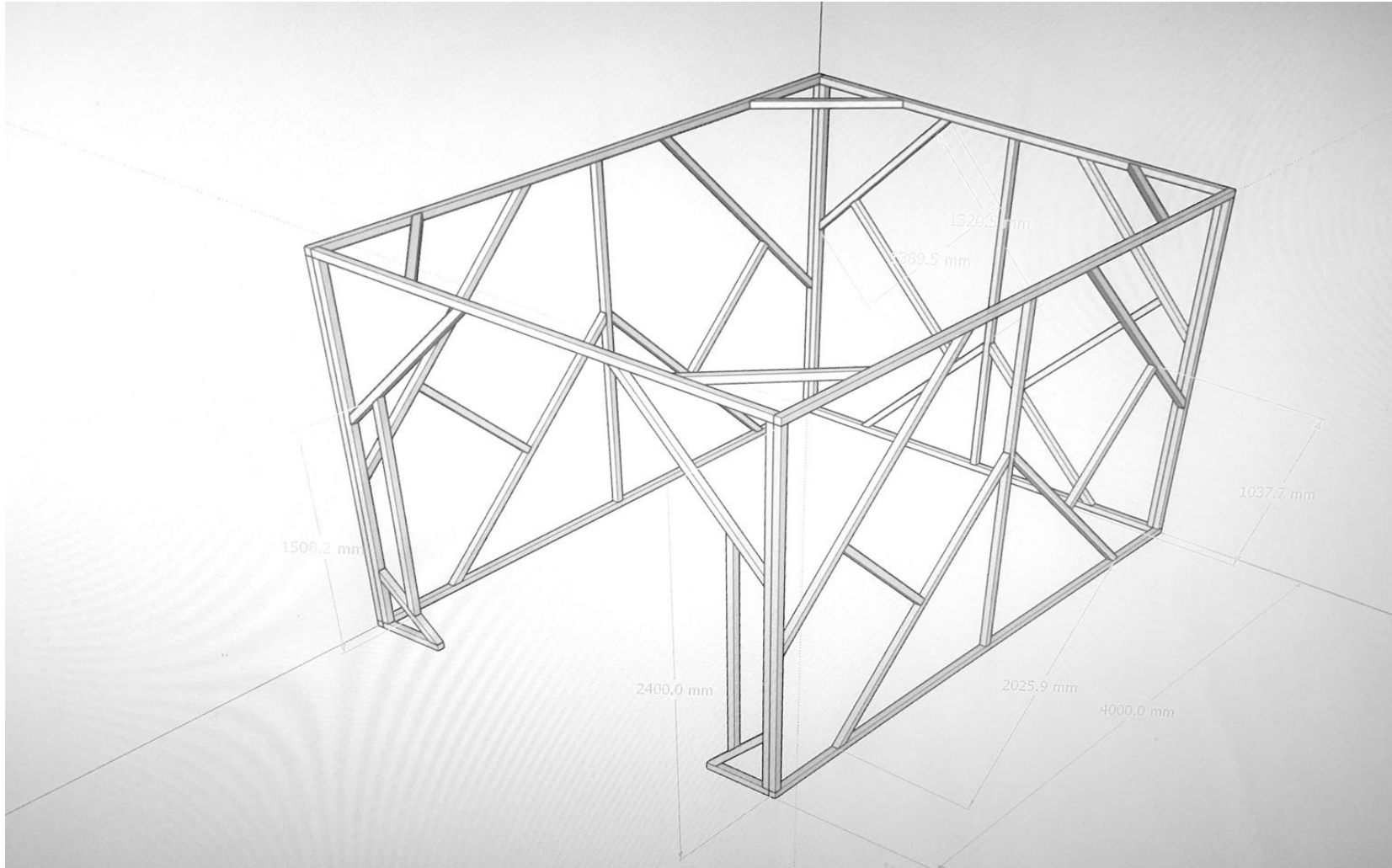
ENTRANCE & SMOKING AREA ON HILTON STREET

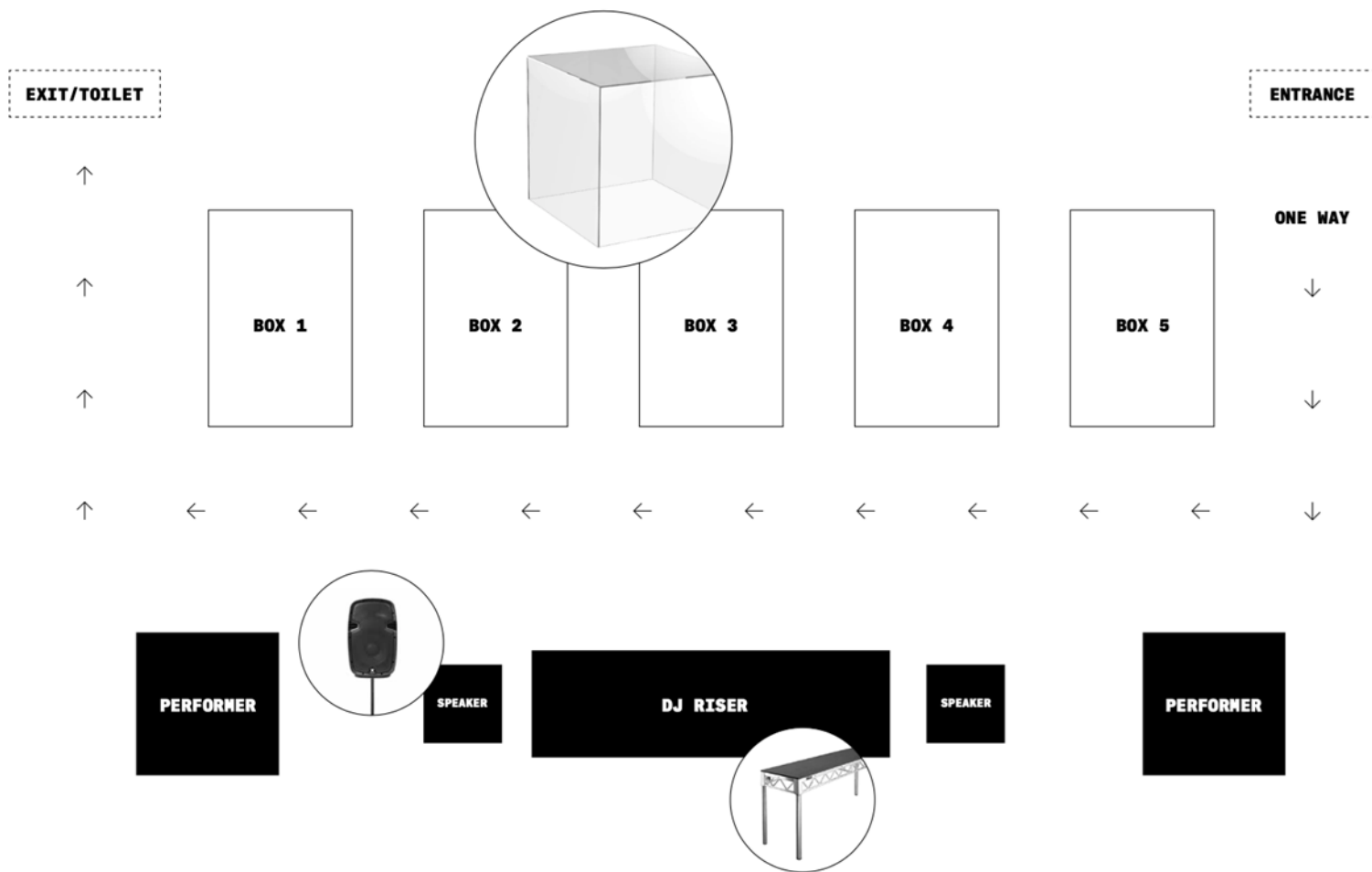


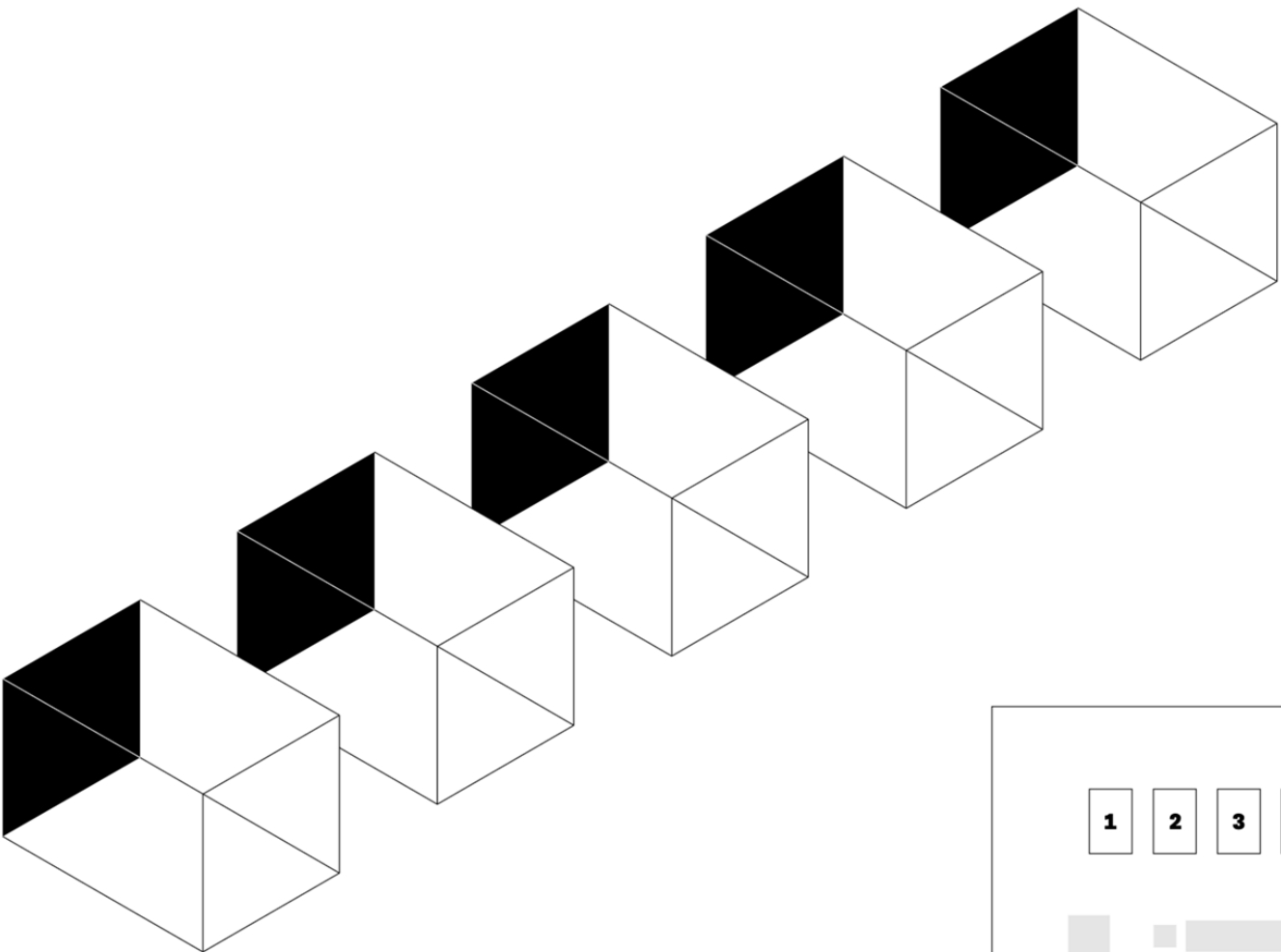


LAYOUT PLANS

A PUFFIN BOX









IMPLEMENTING CONTROL MEASURES

Physical Health Check

All attendees must self-declare that they are not buying tickets for the event if they, or any member of their household have any of the recognised COVID-19 symptoms in evidence.

Pre-event communication via facebook and other social media to all participants includes reminders not to attend the event if they have been unwell in the last 14 days. Puffin Box will include links to the current NHS advice on coronavirus/Covid-19.

We will not require attendees to sign a declaration on the day as it could increase the risk of transmission and take up time at entry. However, they will all use the NHS Test and Trace QR Code to scan into the site.

Car Park & Event Entry Point

There is no specific parking for the event, but there are a number of public car parks a very short walk from Hilton House. Public transport (bus and tram) will be encouraged with the reminder that PPE is mandatory on public transport.

At the Event Entry Point on Hilton St a queuing system will be established to enable social distancing by use of umbrellas per group, barriers, signage and floor markings. Our security providers (FGH) will be carrying out searches at the entrance – the methodology for protecting both workers and attendees will be set out by the security company prior to the first event.

Exit will be onto Tariff St apart from the last session of the day which will exit through the main entrance onto Hilton St.

Individual Responsibility

The following applies to all involved in the event – contractors, staff, attendees and event delivery team:

Government hygiene regulations and advice must be followed at all times to reduce the risk of virus transmission. All event attendees must be reminded to wash their hands regularly for at least 20 seconds with soap (or use an alcohol hand gel of over 60%) and avoid touching their face to reduce virus transmission.

We will inform everyone connected with the event that if they feel unwell with any symptoms of Covid-19, they should not attend the event. Attendees should follow the government guidelines and stay home if they are symptomatic and/or if anyone in their house is symptomatic.



Signage



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

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GREATER MANCHESTER POLICE



To: Manchester City Council
Licensing Unit
Town Hall Extension

To: Ms Natalie Lea



30th Sep 2020

Dear Madam,

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

| | |
|-----------------------|---|
| PREMISES NAME: | Puffin Box |
| ADDRESS: | Basement Hilton House 26-28 Hilton Street Manchester M1 2EH |
| DATE OF EVENT: | 22/10/20 – 24/10/20 |
| TIME OF EVENT: | 1145 – 2200 hrs |

This Temporary Event application seeks to allow the user to stage events where groups of 6 people will be inside box shaped booths and a DJ will play music to them from a separate stage and the people in the booths can then drink alcohol and dance to the music.

GMP are of the opinion that this constitutes the elements of a nightclub due to the loud music and dancing and under current regulations nightclubs are prohibited from opening and dancing should not be permitted by venues.

On the Puffin Box website there is a video which shows an example of one of their events and people are clearly dancing inside the booths, with subdued lighting and loud music.

GREATER MANCHESTER POLICE

This makes these events non Covid compliant and as such GMP ask that this TEN is refused.

Signed:.....PC 17659 Isherwood..... (rank/pin/name)

Date/Time 30/09/20.....1300 hrs


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

| | |
|------------------|--|
| Name | Ben Moran |
| Job Title | Licensing Out of Hours Team Lead |
| Department | Licensing and Out of Hours Compliance Team |
| Address | Level 1, Town Hall Extension, Manchester, M2 5DB |
| Email Address | Ben.moran@manchester.gov.uk |
| Telephone Number | 0161 234 1220 |

Premise Details

| | |
|--------------------|---|
| Application Ref No | 251164 |
| Name of Premises | Puffin Box |
| Address | Basement, Hilton House, Hilton Street, Manchester, M1 2EH |

Representation

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

The Licensing and Out of Hours (LOOH) team have assessed the likely impact of the grant of the Temporary Event Notice (TEN) on the Licensing Objectives taking into account a number of factors, including the activities being applied for, the nature of the area in which the premises is located and any potential risk the granting of the Temporary Events could have on any of the four licensing objectives.

As a result of this assessment the LOOH Team have concerns that the grant of the Temporary Event is likely to lead to the Public Safety licensing objective being undermined.

The premises is located in the basement of Hilton House, Hilton Street within the Northern Quarter district of the city centre. The basement provides very little in the way of air flow as there are no windows or doors to circulate fresh air. There are also residential dwellings nearby and a number of alcohol led, licensed premises in close proximity.

The applicant, before engaging with any of the Responsible Authorities, has already marketed and sold out shows (as exhibited below) for their event which is yet to be licensed. The application relies fundamentally on substantial changes of legislation taking effect to run an event that is currently illegal to do so under the current form of The Health Protection (Coronavirus, Restrictions) England Regulations 2020.

| | | |
|---|---------------------------|----------|
| 18:00 - 19:30: Puffin Box 2 90 Min Session, 8 Max per Box. *Must Also Purchase Prepaid £100 Drink Package Below* | £125.00 (£120.00 + bf) | SOLD OUT |
| 18:00 - 19:30: Puffin Box 3 90 Min Session, 8 Max per Box. *Must Also Purchase Prepaid £100 Drink Package Below* | £125.00 (£120.00 + bf) | SOLD OUT |
| 18:00 - 19:30: Puffin Box 4 90 Min Session, 8 Max per Box. *Must Also Purchase Prepaid £100 Drink Package Below* | £125.00 (£120.00 + bf) | SOLD OUT |
| 18:00 - 19:30: Puffin Box 5 90 Min Session, 8 Max per Box. *Must Also Purchase Prepaid £100 Drink Package Below* | £125.00 (£120.00 + bf) | SOLD OUT |
| Slot 3 | | |
| 19:45 - 21:15: Puffin Box 1 90 Min Session, 8 Max per Box. *Must Also Purchase Prepaid £100 Drink Package Below* On sale for just 10 more days. | £125.00 (£120.00 + bf) | 0 ▼ |
| 19:45 - 21:15: Puffin Box 2 90 Min Session, 8 Max per Box. *Must Also Purchase Prepaid £100 Drink Package Below* On sale for just 10 more days. | £125.00 (£120.00 + bf) | 0 ▼ |
| 19:45 - 21:15: Puffin Box 4 90 Min Session, 8 Max per Box. *Must Also Purchase Prepaid £100 Drink Package Below* | £125.00 (£120.00 + bf) | SOLD OUT |
| 19:45 - 21:15: Puffin Box 5 90 Min Session, 8 Max per Box. *Must Also Purchase Prepaid £100 Drink Package Below* On sale for just 10 more days. | £125.00 (£120.00 + bf) | 0 ▼ |
| Slot 4 | | |
| 21:30 - 23:00: Puffin Box 1 90 Min Session, 8 Max per Box. *Must Also Purchase Prepaid £100 Drink Package Below* | £125.00 (£120.00 + bf) | SOLD OUT |
| 21:30 - 23:00: Puffin Box 2 90 Min Session, 8 Max per Box. *Must Also Purchase Prepaid £100 Drink Package Below* | £125.00 (£120.00 + bf) | SOLD OUT |
| 21:30 - 23:00: Puffin Box 3 90 Min Session, 8 Max per Box. *Must Also Purchase Prepaid £100 Drink Package Below* | £125.00 (£120.00 + bf) | SOLD OUT |
| 21:30 - 23:00: Puffin Box 4 90 Min Session, 8 Max per Box. *Must Also Purchase Prepaid £100 Drink Package Below* On sale for just 10 more days. | £125.00 (£120.00 + bf) | 0 ▼ |
| 21:30 - 23:00: Puffin Box 5 90 Min Session, 8 Max per Box. *Must Also Purchase Prepaid £100 Drink Package Below* | £125.00 (£120.00 + bf) | SOLD OUT |

The organisers of Puffin Box describe the events as;
 ‘a socially distanced, immersive, Covid-compliant raving experience’
 ‘a ‘mini club experience’
 their ‘layout is unique for a nightclub’
 The definition of a rave is ‘a lively party involving dancing and drinking’ The most recent guidance from the government, specifically makes clear that nightclubs, dance halls and discotheques are to remain closed in law.

Manchester, with its surrounding boroughs, have some of the worst infection rates in the country and as a result are subject to stricter restrictions. There is a restriction in place which advises people must not socialise in groups or no more than 6 and should only be from 1 household. The operators at Puffin Box have sold group bookings of 8 and have not applied any restrictions on mixing households or have no way of knowing who will attend on the day.

The proposed timings, until 22:00, also give added pressure on the night time economy as all licensed premises are required to close at that terminal hour. Across the city centre there have been a number of concerns observed when patrons leave venues at the same time and the bottleneck effect of people being able to leave the area in a safe manner. Adding another licensed premises to this congestion is irresponsible.

No risk assessment has been presented with the application.

LOOH, with all the facts before us, have no other alternative than to object to the application for a Temporary Event Notice. The activity that they wish to conduct is currently illegal and would completely undermine the Licensing Objectives.

Recommendation: Refuse Application

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

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