



Licensing Sub Committee Hearing Panel

Date: Monday, 7 December 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, Hughes and Madeleine Monaghan

Agenda

1. Urgent Business

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

2. Appeals

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

3. Interests

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

4. New Premises Licence - Crozier Drinks, Flat 154, Cotton Field Wharf, 4 New Union Street, Manchester, M4 6FS - determination 5 - 8

The determination papers are enclosed.

5. New Premises Licence - TBC, 14 Lansdowne Road, Manchester, M8 5SH 9 - 84

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

6. New Premises Licence - Witch King's Rum, Unit 2, 23 Radium Street, Manchester, M4 6AY 85 - 134

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

Information about the Committee

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

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

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

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

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

Smoking is not allowed in Council buildings.

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

Further Information

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

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Licensing Act 2003 (Hearings) Regulations 2005

Reference: 253150
Name: Crozier Drinks
Address: Flat 154, Cotton Field Wharf, 4 New Union Street, Manchester, M4 6FS
Ward: Ancoats and Beswick
Application Type: Premises Licence (new)
Name of Applicant: Mr Callum Blake Crozier
Date of application: 29 October 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:
Mon to Sun 8am to 10pm

Opening hours:
The premises is not open to the general public.

Representations received

The Trading Standards Service

As the delivery of alcohol shall be to residential addresses it is of concern to the Trading Standards Service that potential risks may exist in relation to the Licensing Objective relating to the protection of children from harm (specifically the supply of alcohol to underage persons). To prevent such eventualities from taking place the Trading Standards Service have requested that a number of conditions relating to age verification policies and procedures (Challenge 25) relating to the supply and delivery of all alcohol orders be imposed on any subsequently granted premises

	licence.
Licensing & Out of Hours Compliance	<p>LOOH Compliance have submitted a representation against the application on the grounds of the Licensing Objective relating to the prevention of public nuisance. It is of concern to LOOH Compliance that the preparation and despatch of any/all deliveries to customers from the licensed premises does not impact adversely on the premises' neighbouring properties. To ensure that this does not happen LOOH Compliance are requesting the imposition of a range of conditions on to any subsequently granted licence that will prevent any nuisance issues from taking place or developing.</p>

Agreements between parties

The Trading Standards Service:

- 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.
- A message shall be displayed on the website notifying customers of the Challenge 25 policy in place and that orders shall not be left with any person under 18 years of age upon delivery and that the courier may request the recipient to produce satisfactory identification evidence to prove that they are at least 18 years of age.
- All sales shall be made through online sales only, there shall be no other means to place an order.
- All staff engaged in the delivery of alcohol shall be trained with regards to the Challenge 25 policy. This training shall be documented and training should be refreshed at no greater than 12 monthly Intervals. The Premises Licence holder shall also ensure that all employees of any third party engaged in the delivery of alcohol, i.e. couriers have also been trained by their employers regarding the Challenge 25 policy. This training should also be documented.
- At the point of delivery the Challenge 25 policy shall be operated. The only ID that shall be accepted is a passport, photo driving licence, PASS accredited proof of age card or military identification card.
- The Premises Licence Holder shall ensure that a sticker is applied to all consignments of alcohol. It shall read "Note to delivery service, this package contains age restricted products. Ensure recipient is over 18".
- A log shall be kept and record all instances when a consignment of alcohol has not been delivered for the reasons that the person(s) is, or appear to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log shall be available on request by the police or an authorised officer of Manchester City Council.

The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.

- 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 orders within 7 days.
- Any promotional material and/or any website homepage 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/business cards promoting the business.

Licensing & Out of Hours Compliance:

- Any order of stock to be collected and moved to the apartment during working hours (0800 to 1800).
- Any despatch of product to be done so in a set despatch trip of 2 trips to avoid nuisance to other residents: 1 morning trip and 1 afternoon trip per day.
- No moving of stock or despatch of product shall be made outside of the hours of 0800 to 1800 daily.
- Stock orders per day shall not exceed any amount that is not hand carriable by 1 person to avoid congestion of concierge post area or nuisance to other residents.

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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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 07 December 2020

Subject: TBC, 14 Lansdowne Road, Manchester, M8 5SH - App ref: Premises Licence (new) 250241

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: Crumpsall

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

Name: Fraser Swift
Position: Principal Licensing Officer
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Name: 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 22 September 2020, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of TBC, 14 Lansdowne Road, Manchester, M8 5SH in the Crumpsall 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 Ridvan Jacaj.
- 2.3 The description of the premises given by the applicant is "The premise is a café restaurant situated on a B road in a residential area of Crumpsall Greater Manchester."
- 2.4 The proposed designated premises supervisor is Ridvan Jacaj.
- 2.5 **The licensable activities applied for:**
The supply of alcohol for consumption both on and off the premises:
Mon to Sun 11am to 9.30pm
- Opening hours:
Mon to Sun 7am to 10pm
- 2.5.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 2.5.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.

2.6 **Activities unsuitable for children**

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

2.7 **Steps to promote the licensing objectives**

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

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

3. **Relevant Representations**

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

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;

Other Persons:

- North Neighbourhood Team

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	Concerns regarding the proximity of residential properties and public nuisance.	Grant with conditions
North Neighbourhood Team	Concerns regarding the premises attracting gang related violence, drug dealing outside the premises, complaints attracted from residents, groups of youths congregating outside of the premises, and the premises approach to Covid 19 regulations.	None

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

3.4 Further documentation was received from the Licensing and Out of Hours Compliance Team on 12 November 2020 (**Appendix 5**) in support of their representation, ie Statement Of Fact & Warning Letter x2. Original copies of these documents.

4. **Key Policies and Considerations**

4.1 **Legal Considerations**

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

4.2 **New Information**

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

4.3 **Hearsay Evidence**

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

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

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

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

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

4.5 **Manchester Statement of Licensing Policy**

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

4.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it

consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.

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

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

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

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

This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be

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

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS5 Prevent on-street consumption of alcohol
- MS8 Prevent noise nuisance from the premises
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

Section 9: Alcohol delivery services

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

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

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

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

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

Section 12: Premises Licences for large-scale public events

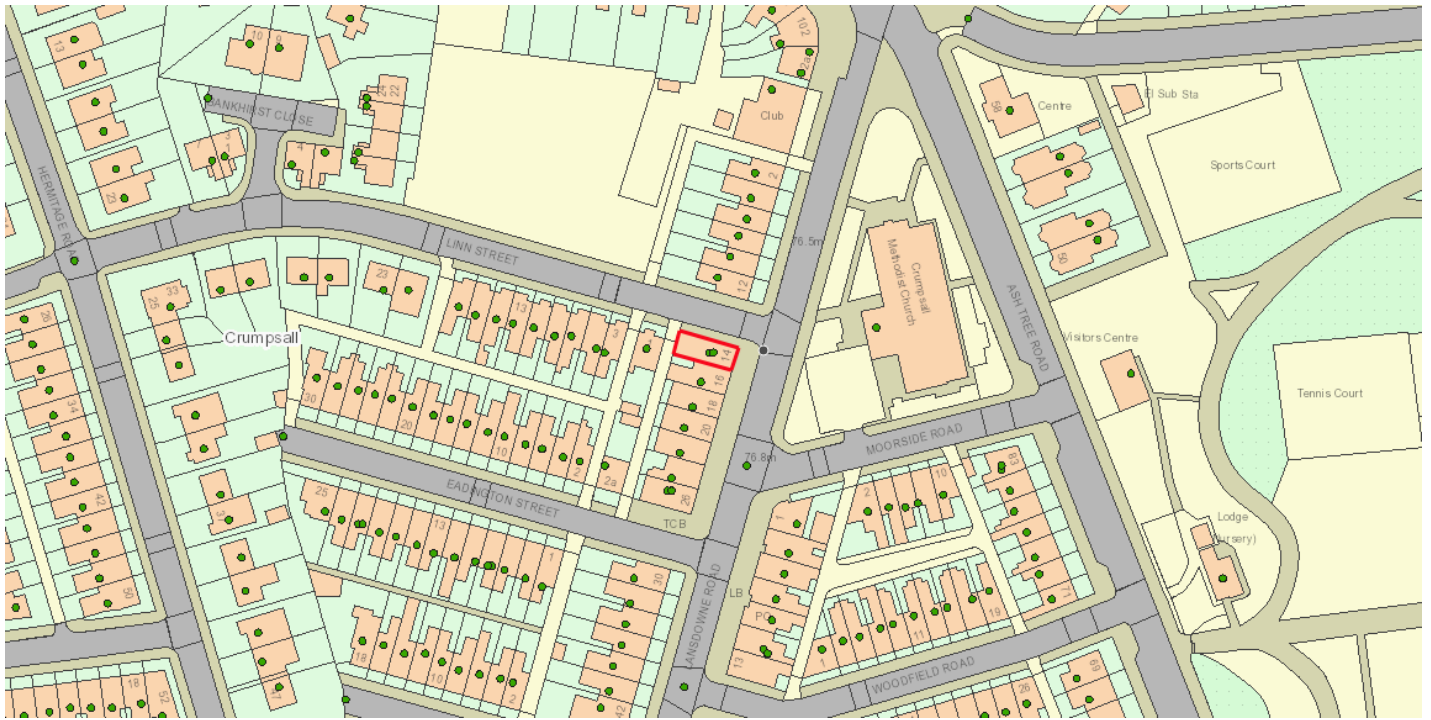
This section sets out particular expectations regarding large scale public events, given the specific associated risks.

5. Conclusion

- 5.1 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.**



Ryans Italian Eat In & Takeaway
14 Lansdowne Road, Manchester, M8 5SH

Premises Licensing
Manchester City Council

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PREMISE NAME:	Ryans Italian Eat In & Takeaway
PREMISE ADDRESS:	14 Lansdowne Road, Manchester, M8 5SH
WARD:	Crumpsall
HEARING DATE:	16/11/2020

**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 Ridvan Jacaj

(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 14 Lansdowne Rd			
Post town	Manchester	Postcode	M8 5SH
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£2917	

Part 2 - Applicant details

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

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

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Jacaj			First names Ridvan		
Date of birth [REDACTED]		I am 18 years old <input checked="" type="checkbox"/> Please tick yes or over			
Nationality [REDACTED]					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
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Surname		First names	
Date of birth		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes	
Nationality			
Current postal address if different from premises address			
Post town	Manchester	Postcode	M25 1PD
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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

The premise is a café restaurant situated on a B in a residential area of Crumpsall Greater Manchester

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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



In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

F

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

G

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

H

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

I

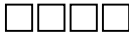
Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11.00	09.30			
Tue	11.00	09.30			
Wed	11.00	09.30			
Thur	11.00	09.30			
Fri	11.00	09.30			
Sat	11.00	09.30			
Sun	11.00	09.30			

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 Ridvan Jacaj	
Date of birth [REDACTED]	
Address [REDACTED] [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) 2531	
Issuing licensing authority (if known) Bury	



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	07.00	22.00	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)
Tue	07.00	22.00	
Wed	07.00	22.00	
Thur	07.00	22.00	
Fri	07.00	22.00	
Sat	07.00	22.00	
Sun	07.00	22.00	

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

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

b) The prevention of crime and disorder

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.

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:

- (a) all crimes reported to the venue, or by the venue to the Police
- (b) all ejections of patrons
- (c) any incidents of disorder
- (d) any faults in the CCTV system
- (e) any visit by a relevant authority or emergency service

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 formal identification to enable to verify their identity against the notice.

c) Public safety

THE PREMISES WILL HAVE SMOKE DETECTORS AND FIRE EXTINGUISHERS

d) The prevention of public nuisance

NOTICES WILL BE DISPLAYED REQUESTING PATRONS TO LEAVE THE PREMISES QUIETLY.
THE DPS AND STAFF, WILL AT ALL TIMES BE VIGILANT, IN TERMS OF THE MONITORING AND PREVENTION OF LITTER WITHIN THE VICINITY OF THE OUTLET.

e) The protection of children from harm

SEE ABOVE,
ALL STAFF WILL BE TRAINED IN CHALLENGE 25 AND SIGN TO SAY THEY UNDERSTAND THEIR ROLE. LEGAL NOTICES WILL BE DISPLAYED TO WARN MINORS ID CHECKS ARE USED AT ALL TIMES.
A RECORD OF ALL INCIDENTS WILL BE KEPT ON SITE FOR INSPECTION. STAFF WILL UNDER GO REFRESHER TRAINING AT 6 MONTHLY INTERVALS

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).

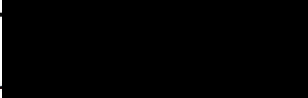
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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	18/9/2020
Capacity	Agent for applicant

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

Signature	
Date	
Capacity	

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

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Notes for Guidance

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

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

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**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details

Application Ref No	LAK250241
Name of Premises	Ryans Italian Eat In & Takeaway
Address	14 Lansdowne Road, Manchester, M8 5SH

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.

Licensing and Out of Hours (LOOH) have received the application for a Premises Licence to serve alcohol from 1100 – 2130 Monday to Sunday. The premise opens from 07.00 – 22.00. The applicant describes the venue as a café restaurant. The venue currently operates as a café/restaurant.

Licensing and Out of Hours 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 premise is within very close proximity to residential properties.

Licensing and Out of Hours have also looked at any potential risks that the granting of the application for a Premise Licence could undermine the licensing objective:

Prevention of public nuisance.

- The supply of alcohol shall only be to a person seated taking a table meal and for consumption by such a person as ancillary to their meal. This will apply between the hours 12.00 and 21.30 Monday to Sunday.
- This condition would ensure that alcohol is only consumed as part of a meal during and prevents people using the premises as a bar.
- The front of the premise must be kept free from litter.
- No noise shall emanate from the premise. The front door must remain closed except for access and egress.

- Patrons must be dispersed should they congregate outside premise after closure.
- There must be no more than 4 patrons at any one time outside at the front of the premise smoking.
- Suitable smoking receptacles must be provided for cigarette waste.
- Any recorded music must only be played as low level ambient background music.

The conditions would prevent potential problems of public nuisance at the premises and ensure the Licensing Objectives are upheld.

The application is to be approved with conditions.

Recommendation: Approve with Conditions (Outlined Above)

Objection 2 from The North Neighbourhood Team

From: Brian Pemberton <brian.pemberton@manchester.gov.uk>

Sent: Tuesday, October 20, 2020 7:32 AM

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

[REDACTED]

Subject: Premises Licence (new) 250241/GO2: TBC, 14 Lansdowne Road, Manchester, M8 5SH, (Crumpsall ward) - Reference: 250241/GO2

Re: Premises Licence (new) 250241/GO2: TBC, 14 Lansdowne Road, Manchester, M8 5SH, (Crumpsall ward) - Reference: 250241/GO2

Application Type: Premises Licence (new)

Proposed hours and licensable activities:

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

Monday to Sunday 11am to 9.30pm, Opening hours: Mon to Sun 7am to 10pm

The North Neighbourhood Team object to this application for a new license for the reasons below and in relation to the following licensing objectives:

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

Greater Manchester Police have raised concerns as the premises has a history of attracting gang related violence. Greater Manchester Police have also logged

instances of alcohol being sold outside the current designated hours. Greater Manchester Police state that the premises' approach to COVID-19 regulations has similarly been poor.

Crumpsall Ward Councillors Nasrin Ali and Fiaz Riasat also have concerns based on the licensing objectives and have received complaints from residents, regarding groups of youths regularly congregating outside the premises. Residents have also made allegations of drug dealing openly taking place outside the premises

The North Neighbourhood Team would like details of the measures in place to ensure:

- Public and staff safety
- Responsible waste disposal
- The premises curtilage and surrounding areas are kept clean and tidy

Brian Pemberton
Neighbourhood Officer
Cheetham, Crumpsall and Higher Blackley
North Neighbourhood Team
The Neighbourhoods Service
Neighbourhoods Directorate
Manchester City Council

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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"> <li data-bbox="145 302 1110 884">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. <li data-bbox="145 925 1110 1328">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 shall record the following incidents including pertinent details: <ol style="list-style-type: none"> <li data-bbox="193 1108 1023 1176">(a) all crimes reported to the venue, or by the venue to the Police <li data-bbox="193 1178 560 1216">(b) all ejections of patrons <li data-bbox="193 1218 587 1256">(c) any incidents of disorder <li data-bbox="193 1258 675 1296">(d) any faults in the CCTV system <li data-bbox="193 1299 999 1337">(e) any visit by a relevant authority or emergency service <li data-bbox="145 1368 1110 1615">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 formal identification to enable to verify their identity against the notice. <li data-bbox="145 1659 1110 1697">4. The premises shall have smoke detectors and fire extinguishers <li data-bbox="145 1731 1110 1798">5. Notices shall be displayed requesting patrons to leave the premises quietly. <li data-bbox="145 1839 1110 1906">6. The DPS and staff shall at all times be vigilant, in terms of the monitoring and prevention of litter within the vicinity of the outlet. <li data-bbox="145 1951 1110 2018">7. All staff shall be trained in challenge 25 and sign to say they understand their role. 	N/A	Applicant

Schedule of Licence Conditions

<p>8. Legal notices shall be displayed to warn minors ID checks are used at all times.</p> <p>9. A record of all incidents shall be kept on site for inspection. Staff shall undergo refresher training at 6 monthly intervals.</p>		
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 1. The supply of alcohol shall only be to a person seated taking a table meal and for consumption by such a person as ancillary to their meal. This will apply between the hours 12.00 and 21.30 Monday to Sunday. 2. This condition would ensure that alcohol is only consumed as part of a meal during and prevents people using the premises as a bar. 3. The front of the premise must be kept free from litter. 4. No noise shall emanate from the premise. The front door must remain closed except for access and egress. 5. Patrons must be dispersed should they congregate outside premise after closure. 6. There must be no more than 4 patrons at any one time outside at the front of the premise smoking. 7. Suitable smoking receptacles must be provided for cigarette waste. 8. Any recorded music must only be played as low level ambient background music. 	No	Licensing and Out of Hours

Statement of Fact

Claire Cunningham – Licensing and Out of Hours Officer

On Sunday 8th November 2020 I carried out proactive work on premises in North Manchester due to the country being in a full lockdown. Checks were to be made on premises to ensure they were closed and takeaways/restaurants were operating delivery only.

I attended Lansdowne Road, Crumpsall, Manchester along with my colleague and team lead Timothy Ansell. At 20:19 we arrived by vehicle outside Ryans Eat in or Takeaway, 14 Lansdowne Road, Crumpsall, Manchester. M8 5SA. The lights inside the premise were switched on and 3 males were seated at a table eating. One male was stood up smoking what appeared to be a cigarette. There was a male stood behind the counter with a face mask pulled down around his neck/chin.

We parked up went inside the premise, immediately upon entering there was a smokey atmosphere and the distinct smell of cigarettes. The male we witnessed smoking quickly went out of a door at the rear of the premise.

I introduced myself to the male behind the counter and asked to speak to the manager. The male who had gone out of the back door then came back in and he went to get the manager. I recognised the male smoking as the same person I had spoken to on a previous visit on 4th October 2020 whereby he stated he was in charge whilst the owner Mr Ridvan Jacai was away in Italy.

A male came from upstairs and introduced himself as the owner Mr Ridvan Jacai he provided his driving licence as identification. I requested to speak to him outside.

I explained I had witnessed offences under the Health Act 2006 and witnessed a male smoking inside the premise, his response I would describe as blasé, he shrugged his shoulders, said 'sorry' and stated he had been resting upstairs. I advised he was committing an offence under the Health Act 2006 by permitting smoking in a smoke free place.

I advised a warning letter would be sent and monitoring of the premise would now take place, further action would also be taken if evidence found to be continuing to allow smoking indoors.

I further advised him of offences committed under the Coronavirus Act 2020. I advised of the following breaches:

- People sat inside and eating.
- Staff not wearing face coverings correctly.
- No social distancing markers in place
- No QR code on display
- No risk assessment in place

Mr Jacai stated he did not know what he needed to do in respect of covid compliance and he did not know what a covid risk assessment was. It was pointed out to him that guidance has been online on the government website since March 2020 and as a business owner it was his responsibility to put everything in place.

Mr Jacai displayed a very blasé attitude and he also stated said the males eating inside the premise were delivery drivers.

I advised he needs to put all the covid requirements in place immediately and will need to seek guidance on the government website. I further advised failure to do so will result in enforcement

action being taken and warned him a follow up visit will now take place to ensure the premise is covid compliant.

Mr Jacai displayed a complete disregard for public safety and though the observations made on the 8th November 2020 and I now have concerns the licensing objectives would not be upheld in particular 'Public Safety' should the application for a premises licence be granted.

Furthermore, I have concerns under the licensing objective 'Crime and Disorder' as offences were being committed on the premise.

A warning letter has been sent to Mr Jacai dated 08/11/2020 in respect of covid breaches.
Exhibit CC1

A warning letter has been issued to Mr Jacai dated 12/11/2020 in respect of breaches under the Health Act 2006.
Exhibit CC2

Dated: 12/11/2020

Signed:

Claire Cunningham

Licensing and Out of Hours Officer



**Community Safety, Compliance
and Enforcement
Neighbourhoods Directorate
Manchester City Council**

Mr Ridvan Jacai
Ryan's Eat in or Takeaway
14 Lansdowne Road
Manchester
M8 5SH

To reply please contact:
Claire Cunningham

[Tel:0161 227 3147](tel:01612273147)

Email:
c.cunningham@manchester.gov.uk

Dear Mr Jacai

WARNING – POTENTIAL ENFORCEMENT ACTION

**The Health Protection (Coronavirus, Restrictions)(England)(No.3) Regulations 2020
The Health and Safety at Work Act 1974
The Management of Health and Safety at Work Regulations 1999**

Following a visit to your premises on 08/11/2020 I am concerned that you and your staff and visitors to your premises are not adhering to the current covid restrictions.

As explained to you, it is vital the restrictions in place in Greater Manchester are complied with as they are necessary to protect the public from the further spread of coronavirus and the impact that this will have on communities and businesses.

There is also a legal duty on all businesses under The Health and Safety at Work act 1974 and the Management of Health and Safety at Work Regulations 1999 to ensure that, so far as is reasonably practicable, the health, safety and welfare of their employees whilst at work is protected. In order to do this during the current pandemic, it is vitally important to reduce the risk of viral transmission to employees and customers by carrying out a suitable and sufficient assessment of COVID-19 risks to the health and safety of anyone working or visiting your premises.

If covid secure controls are not documented and put into place for employees and customers safety, you will be required to co-operate by a more formal approach and failure to comply could lead to prosecution.

You should also be aware that where any premises poses a serious and imminent risk to public health, action may be taken to require that premises to close.

The Council is of the view that adequate controls and measures can be put in place to make the above premises covid secure. You should ensure that the following matters are addressed:

- A Covid-19 Risk Assessment must be completed
- Controls must be implemented to ensure social distancing
- Adequate Track and Trace information must be collected
- Customers and staff must wear face coverings
- People must not be seated and eating/drinking inside the premise.

In the event that it is necessary to issue a Direction to close your premises we will be required to publish it on our website and communicate it as widely as possible to residents of the City.

Failure to comply with the actions set out in this letter will result in action being taken should further breaches be observed.

Yours sincerely,
Claire Cunningham
Licensing and Out of Hours Officer



Mr R Jacai,
Ryan's Eat in or Takeaway
14 Lansdowne Road
Manchester
M8 5SH

**Licensing & Out of Hours Compliance
Neighbourhood Services**

PO Box 532, Town Hall
Manchester
M60 2LA

To reply please contact:

Tel: 0161 234 1220

Email: Claire.cunningham@manchester.gov.uk

Ref: 253476

Date:12/11/2020

Dear Mr Jacai,

Health Act 2006 – A smoke free place

We have recently visited your premises on 8th November 2020 and found you to be in breach of the Health Act because you allow customers/staff to smoke. Therefore, you must cease allowing customers/staff to smoke inside your premises with immediate effect.

We will continue to monitor your premises and if you are found to be in breach of this legislation, we will take further enforcement action. **This action may include issuing any person found smoking on the premises a Fixed Penalty Notice of £50 under section 7 of the Health Act.**

Furthermore, under Section 8 of the Health Act, any person who controls or is concerned in the management of the premises and fails to prevent smoking in a smoke free place can be fined, upon conviction, up to £2500.

Please feel free to contact me if you wish to discuss the matter further on 0161 227 3147

Yours faithfully,

Claire Cunningham
Licensing & Out of Hours Officer

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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 – 07 December 2020

Subject: Witch Kings Rum, Unit 2, 23 Radium Street, Manchester, M4 6AY –
Application ref: Premises Licence (new) 251064

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: Ancoats and Beswick

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

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

Equal Opportunities Policy
 Risk Management
 Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

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

Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 13 October 2020, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Witch Kings Rum, Unit 2, 23 Radium Street, Manchester, M4 6AY in the Ancoats and Beswick 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:
Squiggle Juice Ltd.
- 2.3 The description of the premises given by the applicant is:
The unit is a mixture of production and retail. The front three metres of the unit will consist of a shop frontage and small seating area. Customers will be able to purchase our products as well as products from a range of other suppliers. They will have the option to either take these away wrapped or consume responsibly on site while seated. We will run ticketed events of rum tastings / cocktail classes every Saturday 4pm to 8pm with no more than 8 customers. Free samples of product will be available pre-purchase.
- 2.4 The proposed designated premises supervisor is:
Mr Brandon Bissell.

The licensable activities applied for:

The supply of alcohol for consumption both on and off the premises:
Mon to Sun 9am to 10pm

Opening hours:

Mon to Sun 9am to 10pm

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

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

2.5 **Activities unsuitable for children**

2.5.1 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.

2.6 **Steps to promote the licensing objectives**

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

2.6.2 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 representation received from MCC Trading Standards has been agreed and the agreement is included in the appendix. The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

Responsible Authorities:

- MCC Trading Standards

Other Persons:

- Manchester Life Development Company Limited

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Trading Standards (AGREED)	Trading Standards proposed 12 conditions that have been agreed with the applicant. The conditions are included in full in Appendix 3 (representations) along with the agreement reached, and in Appendix 4 (the schedule of conditions)	Grant with conditions (now agreed)
Manchester Life	Grant of the application will lead to an increase in the number of people drinking outside,	None

Development Company Limited	<p>thereby leading to an increase in antisocial behaviour, public nuisance and possible crime and disorder.</p> <p>The issues referred to have been experienced in Cutting Room Square nearby, where there is in comparatively better visibility and surveillance. Radium Street is more industrial, with poorer daytime and night-time passing traffic and visibility, providing greater scope for antisocial behaviour and potential risk to public safety.</p> <p>This location is currently isolated, given the industrial nature of the adjoining area and there is no public CCTV surveillance of the proposed building. Nor is there a sufficiently frequent police patrol in this area.</p>	
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3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.

3.4 Agreements on conditions have been reached with MCC 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 5: Special Policy Area

The premises is located within the following special policy area:

Ancoats and New Islington

The effect of the special policy is that the Council will generally only permit licensable activities for premises in the Ancoats and New Islington Regeneration Framework area until the terminal hours set out below whenever it receives relevant representation, unless an applicant can demonstrate there are exceptional circumstance to justify a departure from the policy in the individual circumstances:

11pm (Sunday to Thursday)

12am midnight (Friday, Saturday)

The special policy applies to on and off sales of alcohol. Where alcohol is sold for consumption on the premises, our policy will be to generally provide 30 minutes 'drinking up' time between the terminal hour for the sale of alcohol and the closing time of the premises.

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

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

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

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

- 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

MS12 Prevent underage sales of alcohol, including proxy sales

Section 9: Alcohol delivery services

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

Conclusion

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

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

4.13 **The Panel is asked to determine the application**

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Witch Kings Rum
Unit 2, 23 Radium Street, Manchester, M4 6AY

Premises Licensing
Manchester City Council

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PREMISE NAME:	Witch Kings Rum
PREMISE ADDRESS:	Unit 2, 23 Radium Street, Manchester, M4 6AY
WARD:	Ancoats and Beswick
HEARING DATE:	07/12/2020

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 Squiggle Juice Ltd
(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
Witch Kings Room Unit 3, Ground floor 23 Radium Street Ancoats			
Post town	Manchester	Postcode	M4 6AY
Telephone number at premises (if any)	[REDACTED]		
Non-domestic rateable value of premises	£ 500 9000		

Part 2 - Applicant details

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

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

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name	Squiggle Juice Ltd. (Witch Kings Room)
Address	Witch Kings Room, Unit 3. 23 Radium Street, Ground floor. Ancoats Manchester M4 6AY
Registered number (where applicable)	12700570
Description of applicant (for example, partnership, company, unincorporated association etc.)	Limited Company.

Telephone number (if any)	[REDACTED]
E-mail address (optional)	[REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start? DD MM YYYY
1 0 1 1 2 0 2 0

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

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

The unit is a mixture of production and retail. The front 3 metres of the unit will consist of a shop frontage and small seating area. Customers will be able to purchase our products as well as products from a range of other suppliers. They will have the option to either take these away wrapped or consume responsibly on site whilst seated. We will run ticketed events or run tastings or cocktail classes every Saturday 4pm - 8pm or no more than 8 people. Free samples of product will be available for purchase.

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"/> |

The applicant has clarified that this should be 8 customers, rather than 8 people. This amendment has been accepted

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

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

In all cases complete boxes K, L and M

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for <u>consumption – please tick</u> (please read guidance note 8) Sales for both consumption on and off premises Ticketed events such as tastings and classes.	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	09.00	22.00	State any seasonal variations for the supply of alcohol (please read guidance note 5)	Both	<input checked="" type="checkbox"/>
Tue	09.00	22.00			
Wed	09.00	22.00			
Thur	09.00	22.00		Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)	
Fri	09.00	22.00			
Sat	09.00	22.00			
Sun	09.00	22.00			

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

Name	Brandon Bissell
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	155604
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).

Not Applicable.

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	09.00	22.00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p>
Tue	09.00	22.00	
Wed	09.00	22.00	
Thur	09.00	22.00	
Fri	09.00	22.00	
Sat	09.00	22.00	
Sun	09.00	22.00	

M

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

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

We will make sure we hit all the licensing objectives in order to ensure the safe sale of alcohol. This involves making sure any verification measures and security and safety measures are adhered to.
We wish to retail online and in store as well as have alcohol consumption on site. This will be consumption of our products and other supplier's products. We will also do sampling for products.

b) The prevention of crime and disorder

- ① CCTV will be in operation to record sales and consumption on premises. We will have the footage available to the authorities on request. Footage will be stored securely in accordance with GDPR.
- ② Anyone who is deemed to be drunk or under the influence of drugs will be refused service and escorted from the premises.

c) Public safety

- ① ~~We will only operate between the set hours in our application and~~
- ① The store will have all the relevant safety and alcohol awareness signage within sight of the customer.
- ② Relevant fire safety and emergency exit signage will be present on site.
- ③ We will operate incident reports to log all Refusals, bans, thefts, complaints and injuries.
- ④ Effective crowd control measures will be in place. No more than 8 people on the premises at any one time.


d) The prevention of public nuisance

- ① We will only operate within the set hours of our application.
- ② We will make sure to keep noise pollution to a minimum during operating hours.
- ③ Only alcohol purchased on site will be allowed to be consumed on premises.
- ④ Anyone deemed to be a public nuisance will be asked to leave the premises.

e) The protection of children from harm

- ① No children under the age of 18 will be allowed on the premises unless accompanied by an adult.
- ② We will operate challenge 25 on site and only take driving license and passport as relevant forms of ID.
- ③ All I.D challenges made will be logged in a book to be checked by the DPS periodically.

The applicant has clarified that this should be 8 customers, rather than 8 people. This amendment has been accepted

	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	25/09/2020
Capacity	Director

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

Signature	
Date	
Capacity	

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

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of the Local Government Act 1972.

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AGREEMENT WITH TRADING STANDARDS

From: **Helene Corlett** <helene_corlett@manchester.gov.uk>
Date: Wed, 4 Nov 2020 at 11:39
Subject: FW: FW: Premises licence application - proposed conditions for licence re protection of children from harm licensing objective
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>

Hi
Further to my previous email, please see below for clarification from Witch Kings Rum
Kind regards
Helene

From: Witch King [REDACTED]
Sent: 04 November 2020 11:08
To: Helene Corlett <helene_corlett@manchester.gov.uk>
Subject: Re: FW: Premises licence application - proposed conditions for licence re protection of children from harm licensing objective

Hi Helene

Of course:

We at Squiggle Juice Ltd trading under Witch Kings Rum agree for the above conditions relating to protection of children from harm to be added to our Premises License.

Kind regards,
Max / Brandon
Co-Founders at Witch Kings Rum
<https://www.witchkingsrum.com>

On Wed, Nov 4, 2020 at 11:05 AM Helene Corlett <helene_corlett@manchester.gov.uk> wrote:
Hi Max
Further our phone call during which you indicated that you agreed for the conditions to be added to the licence, having re read your email, I think licensing may need you to state you agree for the conditions to be added to the licence. Apologies for any confusion
Kind regards
Helene

Citywide Support Team- Trading Standards
The Neighbourhoods Directorate
Manchester City Council
1 Hammerstone Road, Gorton, Manchester, M18 8EQ
Tel: 0161 234 1556

[REDACTED]
[REDACTED]
helene_corlett@manchester.gov.uk
www.manchester.gov.uk

AGREEMENT WITH TRADING STANDARDS

From: Witch King [REDACTED]
Sent: 04 November 2020 10:54
To: Helene Corlett <helene_corlett@manchester.gov.uk>
Subject: Re: FW: Premises licence application - proposed conditions for licence re protection of children from harm licensing objective

Hi Helene

Thanks for taking the time to talk to us.

We are happy for you to make a representation of the points listed above.

Kind regards,
Max / Brandon
Co-Founders at Witch Kings Rum
<https://www.witchkingsrum.com>

On Tue, Nov 3, 2020 at 10:49 AM Helene Corlett <helene_corlett@manchester.gov.uk> wrote:

From: Helene Corlett
Sent: 03 November 2020 10:48
Subject: Premises licence application - proposed conditions for licence re protection of children from harm licensing objective

Hi

I've attached the representations I intend making for addition to your alcohol licence as conditions in relation to the promotion of the protection of children from harm licensing objective.

I'd be grateful if you could let me know if you agree to the representations or not. If not or if you would like to clarify/discuss further, I'd be grateful if you could give me a call or email me to discuss further.

If you agree to the representations, please send me an email to that effect.

Kind regards

Helene Corlett

Trading Standards Officer.

Citywide Support Team- Trading Standards
The Neighbourhoods Directorate
Manchester City Council
1 Hammerstone Road, Gorton, Manchester, M18 8EQ
Tel: 0161 234 1556

[REDACTED]
[REDACTED]
helene_corlett@manchester.gov.uk
www.manchester.gov.uk

REPRESENTATION FROM TRADING STANDARDS:

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

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

ABOUT THE PREMISES
Application Ref No. (if known):
Name of the Premises about which you would like to make a representation:
Witch Kings Rum (Squiggle Juice Limited)
Address of the Premises (including postcode if known):
Unit 3 23 Radium Street, Ground Floor, Ancoats M4 6AY

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 states a Challenge 25 will be operated, that acceptable ID will be a passport or driving licence and that ID challenges will be logged and checked periodically. However, it is short on detail, in particular in relation to the online purchasing and delivery service and the operation of the Challenge 25 scheme in practice.</p> <p>Therefore to ensure that the licensing objective of the protection of children from harm is promoted, we would like the following conditions attached to the licence should it be granted</p> <p>We would therefore like the following conditions attached to the licence should it be granted:</p> <ol style="list-style-type: none"> All staff authorised to sell alcohol shall be trained in: <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
 - Staff must be trained to ensure that they know how to record when alcohol is returned to you as a result of a refusal to deliver alcohol
2. 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.
 3. Documented records of training completed shall be kept for each member of staff.
 4. Training shall be regularly refreshed and at no greater than 6 monthly intervals.
 5. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.
 6. 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.
 7. 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.
 8. 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.
 9. It must be indicated on the landing page of the website that a Challenge 25 Scheme is operated. It must also state on the page that it is an offence to buy or attempt to buy alcohol if you are under 18 and that valid ID will be requested on delivery if the person receiving the delivery appears under 25. The alcohol licence number must also be displayed on the website.
 10. Customers must be informed on the website and prior to delivery that a person over 18 must be available to take delivery of alcohol and that ID may be requested in the form of a passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram to prove they are over 18.
 11. The customer buying alcohol on the website must have to take positive action to attest they are over 18 – this may be by means of ticking a box and/or entering their date of birth.
 12. Delivery drivers must be instructed in writing by the licence holder to ask for valid ID comprising a valid passport, valid photo card driving licence, an HM forces warrant card or a card bearing the PASS hologram on delivery if the person receiving the delivery appears under 25.

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.)

REPRESENTATION FROM MANCHESTER LIFE:

From: [REDACTED]
Date: Tue, 10 Nov 2020 at 23:17
Subject: Reference: 251064/HH1 : Premises License Application
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>

Dear Sir/Madam,

Re: Objection to premises license application reference 251064/HH1. Witch Kings Rum, Unit 2, 23 Radium Street, Manchester, M4 6AY.

Manchester Life are submitting this objection against the above premises license application for the production and retail of alcoholic drinks both on and off the premises.

By granting this application it will further increase the number of licensed retail premises in this area. The combination of permitting the sale of alcohol for takeaway and the limited seating capacity inside the premises, will result in an increase in the number of customers drinking outside. This would in turn, increase antisocial behaviour, resulting in public nuisance and possible crime and disorder.

These consequences have been experienced already in nearby Cutting Room Square, where there is in comparatively better visibility and surveillance than the subject area. The subject location on Radium Street is located in a more industrial area with poorer daytime and night-time passing traffic and visibility. This would therefore provide greater scope for antisocial behaviour and potential risk to public safety.

This location is currently isolated, given the industrial nature of the adjoining area and there is no public CCTV surveillance of the proposed building. Nor is there a sufficiently frequent police patrol in this area.

Regards,

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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. Age verification measures and security and safety measures shall be adhered to. 2. CCTV will be in operation to record sales and consumption on premises. We will have the footage available to the authorities on request. Footage will be stored securely in accordance with GDPR. 3. Anyone who is deemed drunk or underage, or under the influence of drugs will be refused service and asked to vacate or escorted from the premises. 4. The store will have all the relevant safety and alcohol awareness signage within sight of the customer. 5. Relevant fire safety and emergency exit signage will be present on site. 6. We will operate incident reports to log all refusals, bans, thefts, complaints. 7. Effective crowd control measures will be in place. 8. No more than 8 customers on the premises at any one time. 9. We will make sure to keep noise pollution during operating hours. 10. Only alcohol purchased on site will be allowed to be consumed on the premises. 11. No children under the age of 18 will be allowed on the premises unless accompanied by an adult. 12. We will operate challenge 25 on site and only take driving and passport as relevant forms of ID. 13. All ID challenges made will be logged in a book to be checked by the DPS periodically. 	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 1. All staff authorised to sell alcohol shall be trained in: <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 • Staff must be trained to ensure that they know how to record when alcohol is returned to you as a result of a refusal to deliver alcohol 	Yes (all)	Trading Standards

Schedule of Licence Conditions

<ol style="list-style-type: none"> 2. 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. 3. Documented records of training completed shall be kept for each member of staff. 4. Training shall be regularly refreshed and at no greater than 6 monthly intervals. 5. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council. 6. 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. 7. 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. 8. 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. 9. It must be indicated on the landing page of the website that a Challenge 25 Scheme is operated. It must also state on the page that it is an offence to buy or attempt to buy alcohol if you are under 18 and that valid ID will be requested on delivery if the person receiving the delivery appears under 25. The alcohol licence number must also be displayed on the website. 10. Customers must be informed on the website and prior to delivery that a person over 18 must be available to take delivery of alcohol and that ID may be requested in the form of a passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram to prove they are over 18. 11. The customer buying alcohol on the website must have to take positive action to attest they are over 18 – this may be by means of ticking a box and/or entering their date of birth. 12. Delivery drivers must be instructed in writing by the licence holder to ask for valid ID comprising a valid passport, valid photo card driving licence, an HM forces warrant card or a card bearing the PASS hologram on delivery if the person receiving the delivery 		
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Schedule of Licence Conditions

appears under 25.		
Not applicable – no conditions proposed	N/A	Manchester Life

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