



Licensing Sub Committee Hearing Panel

Date: Monday, 21 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 (Chair), Hassan and Hughes

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 - Rebellion del Ron, 1 Rupert Street, Manchester, M40 1QU

5 - 80

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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**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 21 December 2020

Subject: Rebellion del Ron, 1 Rupert Street, Manchester, M40 1QU - App ref: Premises Licence (new) 253090

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendations

That the Panel determine the application.

Wards Affected: Miles Platting & Newton Heath

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

infrastructure and connectivity to drive growth	
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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: Bryan Johnson
 Position: Technical Licensing Officer
 Telephone: 0161 234 1248
 E-mail: premises.licensing@manchester.gov.uk

Background documents (available for public inspection):

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

1. **Introduction**

- 1.1 On 26/10/2020, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Rebellion del Ron, 1 Rupert Street, Manchester, M40 1QU in the Miles Platting & Newton Heath ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. **The Application**

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Mr Phidel Nathaniel Gordon.
- 2.3 The description of the premises given by the applicant is: 'Domestic Property'
- 2.4 The proposed designated premises supervisor is Mr Phidel Nathaniel Gordon.
- 2.5 **The licensable activities applied for:**
The supply of alcohol for consumption off the premises only:
Mon to Sun 8am to 5pm
- Opening hours:
The premises are not open to members of the general public
- 2.5.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 2.5.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.

2.6 **Activities unsuitable for children**

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

2.7 **Steps to promote the licensing objectives**

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

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

3. **Relevant Representations**

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

Other Persons:

- Miles Platting and Newton Heath Ward Councillors;
- Ingham Street Area Conservation and Community Association

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Miles Platting and Newton Heath Ward Councillors	Acting on behalf of the Ward Councillors, Councillor June Hitchen has submitted a representation against the application on the grounds of all of the Four Licensing Objectives likely to be adversely impacted upon within the locality of the premises should the application for a premises licence be granted	Refuse the application
Ingham Street Area Conservation and Community Association	A representation against the application has been submitted by the Ingham Street Area Conservation and Community Association in relation to the Licensing Objectives relating to the prevention of public nuisance and the upholding of public safety. It is of concern to the associations members (and residents of the area in general) that a private residential premises is applying for a licence to sell alcohol from said premises (albeit by on-line ordering only and with no customers being permitted to collect orders from the premises in person). It is felt that	Refuse the application

	potential increased vehicular traffic from/to the premises (in collecting and despatching customer orders) will create added congestion and noise to a relatively quiet residential area, thereby creating issues relating to public nuisance. Furthermore, it is felt that the potential increased traffic levels could create issues of public safety in the vicinity of the premises.	
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3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.

4. **Key Policies and Considerations**

4.1 **Legal Considerations**

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

4.2 **New Information**

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

4.3 **Hearsay Evidence**

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

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

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

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

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

4.5 **Manchester Statement of Licensing Policy**

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

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

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

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

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

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

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

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

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

MS3 Responsible promotion and sale of alcohol

MS8 Prevent noise nuisance from the premises

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.

4.6 Conclusion

4.7 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.

4.8 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.

4.9 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.
- 4.10 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.
- 4.11 All licensing determinations should be considered on the individual merits of the application.
- 4.12 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.
- 4.13 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.
- 4.14 **The Panel is asked to determine the application.**



Rebelion del Ron
1 Rupert Street, Manchester, M40 1QU

Premises Licensing
Manchester City Council

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Survey100019568.



PREMISE NAME:	Rebellion del Ron
PREMISE ADDRESS:	1 Rupert Street, Manchester, M40 1QU
WARD:	Miles Platting & Newton Heath
HEARING DATE:	21 st December 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 Phidel Gordon

(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 1 Rupert Street			
Post town	Manchester	Postcode	M40 1QU

Telephone number at premises (if any)	██████████
Non-domestic rateable value of premises	£0

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 | | please complete section (B) |
| | ii as a partnership (other than limited liability) | | 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 Y

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	Other Title (for example, Rev)	
Surname GORDON	First names Phidel	
Date of birth I am 18 years old or over		
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
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
2	4	11
2	0	20

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

DD	MM	YYYY

This application will enable Rebellion del Ron to sell alcoholic products to public customers for national delivery. Alcohol sales and orders will be conducted on-line.

1 Rupert Street is domestic property and alcohol products may be securely stored in the adjacent garage. A small amount of products may be held at this property as most fulfilment of orders will be handled by other distribution partners and Amazon.

Amazon requires all companies selling products through their online services to have their own premises licence. This is an application primarily to enable that relationship.

Sales online may occur 24 hours each day although fulfilment of any orders at this location will be limited to 0800 to 1700hrs on any day. No public callers will attend the premises.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

a) plays (if ticking yes, fill in box A)

b) films (if ticking yes, fill in box B)

c) indoor sporting events (if ticking yes, fill in box C)

d) boxing or wrestling entertainment (if ticking yes, fill in box D)

e) live music (if ticking yes, fill in box E)

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

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

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

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

E

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

G

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

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8)	On the premises		
Day	Start	Finish		Off the premises	Y	
				Both		
Mon	0800	1700	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)			
Tue	0800	1700				
Wed	0800	1700				
Thur	0800	1700		<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri	0800	1700				
Sat	0800	1700				
Sun	0800	1700				

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 Phidel Gordon	
Date of birth [REDACTED]	
Address [REDACTED] [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

K

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

none

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5) THE PREMISES ARE NOT OPEN TO THE PUBLIC AT ANY TIME
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			
			<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)

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)

The premises licence holder, DPS, management and staff will constantly assess any risks to the licensing objectives. They will work in partnership with the authorities in this respect. The staff will be properly authorised, trained, equipped and motivated in this task. This commitment includes:

- A written notice of ‘authority’ record for all staff who ‘sell’ alcohol
- Adequate training for staff and records kept for inspection
- Contact details of the Designated Premises Supervisor available to staff and the authorities
- There will be no access to these licensed premises by members of the public.
- The premises shall operate to fulfil online orders only.
- Alcohol will not be despatched from any premises, other than these licensed premises by the premises licence holder in accordance with this licence,
- The premises licence holder / designated premises supervisor will adopt an age verification policy throughout the whole process of operation, so that at any time, if customers are unable to prove they are 18, then the supply of alcohol will be refused at the point of any ordering procedure or facility, on collection and also on delivery,
- Where the premises licence holder / designated premises supervisor instructs third party couriers to deliver any items of alcohol previously ordered, every such delivery company must adopt a ‘Challenge 25 policy’, so that if on request, acceptable photographic documents cannot be produced to prove the date of birth of the purchaser, then the delivery will be refused outright,
- In all cases,
 - (i) Delivery will be made only to the address indicated on each respective order and no other.
 - (ii) Delivery will be refused to any person who is, or who appears to be under the influence of alcohol or drugs,
- Where delivery of alcohol by any third party courier is refused for any of the reasons given above, the premises licence holder / designated premises supervisor will then continue communication with the third party courier, in order that the eventual outcome of the refused alcoholic goods, remains under the control of the management of the premises and not the third party courier,
- The premises licence holder / designated premises supervisor will keep records of –
 - The date and time of all alcohol orders and the full name and address of who has made each order (including details of any refusals),
 - The date and time of the despatch of all orders from the licensed premises, and
 - The date and time when each delivery has been made, who to and where exactly (with details of any refusals), and the name of a third party courier.
- Such details will be retained at the licensed premises / by the premises licence holder, for possible inspection at any time on request, by a police officer or an authorised person of the licensing authority.

b) The prevention of crime and disorder

The management and staff will take all necessary steps to ensure that the business remains free from crime and disorder and neither creates nor contributes to crime and disorder.

The operation of the business will have a policy of:

- Maintaining staffing levels appropriately to ensure adequate security.
- No cash handling by couriers
- Observing the duty to be a responsible alcohol retailer and always refuse to supply alcohol where there is a likelihood that such a sale might contribute to crime and disorder

c) Public safety

The management and staff will have an effective policy to promote public safety. The DPS will liaise with the authorities to ensure that all aspects of public safety are adhered to. The policy will include:

- Appropriate fire fighting equipment being installed and maintained at the 'premises' and staff trained in its use.
- No sales or supplies of alcohol undertaken where it is reasonably considered that this might negatively affect the public safety licensing objective
- No members of the public shall be permitted to visit the licensed premises.

d) The prevention of public nuisance

The DPS and staff are mindful of the need to reduce the impact of nuisance caused by the operation of the business, will constantly assess the risk of public nuisance and take immediate steps to eliminate the problem. Staff will ensure:

- Deliveries from the premises will be conducted in a responsible and considerate manner, ensuring no disturbance to local residents or businesses
- Deliveries received at the premises and waste removal from the premises will be conducted at a time and in a manner that causes no disturbance to residents or businesses
- The fulfilment of online orders (i.e. the selection and despatch from the premises) shall not occur other than between the hours of 0800 and 1700hrs on any day.

e) The protection of children from harm

The business will be operated in such a way that reflects a commitment to be a responsible retailer. To protect children from harm there will be a policy of:

- Terms & conditions stressing that the purchaser and those receiving a delivery of alcohol must be at least 18 years of age
- A Challenge 25 policy for alcohol sales
- At the time the order is placed (over the phone or via the website) a declaration will be required from the person placing the order that the person is over 18 years of age.
- The online ordering process will prevent the consumer from placing an order until they have read the Challenge 25 statement unless the business calls the consumer to provide this information verbally before the order is accepted.
- Anyone receiving a delivery and not appearing to be of the age of 25 years will be required to produce appropriate identification proving that they have turned 18 in order to be supplied with alcohol
- Appropriate ID will be a passport, photo driving licence, PASS accredited proof of age card or other reliable photo-ID that is recommended and approved for acceptance by the police or other authorities
- Staff shall be trained in all aspects of responsible alcohol retailing and in particular the Protection of Children including the Challenge 25 policy and the identification and refusal of potential 'proxy' purchasers
- Staff training will occur before a staff member is authorised to sell or deliver alcohol for the business
- Staff training will be recorded and signed off by the DPS and/or Premises Licence Holder
- Staff training records will be available for inspection by the police or other responsible authority upon request
- A refusals log will be kept and reviewed regularly by the DPS and made available for inspection by the police and an appropriate local authority representative.

Checklist:

Please tick to indicate agreement

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

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

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

Signature	
Date	

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

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.

Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.

- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience,

and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

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

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

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].

- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.

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

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

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

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

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

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

Home Office online right to work checking service

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

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

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

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

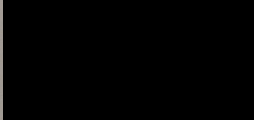
Consent of individual to being specified as premises supervisor

Phidel Gordon

I

[full name of prospective premises supervisor]

of



[home address of prospective premises supervisor]

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

The grant of a premises licence

[type of application]

by

Phidel Gordon

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

1 Rupert Street
Manchester
M40 1QU

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

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

Phidel Gordon

[name of applicant]

concerning the supply of alcohol at

1 Rupert Street
Manchester
M40 1QU

[name and address of premises to which application relates]

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

Personal licence number

~~XXXXXXXXXX~~ — [REDACTED]

[insert personal licence number, if any]

Personal licence issuing authority

[REDACTED]

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

Signed

[REDACTED]

Name (please print)

Phidel Gordon

Date

[REDACTED]

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

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Fwd: Premises Licence (new) 253090/BJ1: Rebellion del Ron, 1 Rupert Street, Manchester, M40 1QU, (Miles Platting & Newton Heath ward)

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

From: [REDACTED] >

Date: Thu, 19 Nov 2020 at 11:10

Subject: Re: Premises Licence (new) 253090/BJ1: Rebellion del Ron, 1 Rupert Street, Manchester, M40 1QU, (Miles Platting & Newton Heath ward)

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

Hi Bryan

Hope you are well. I am sorry that you have not received my formal objection email, unfortunately we have been experiencing problems with the I.T system.

I would like to strongly object to the above application and wish to attend the Licensing Hearing when this application is heard by the Licensing Committee.

My objects are based on all of the four Licensing Objectives

- Protection from children from harm.
- Prevention of public nuisance.
- Prevention of crime and disorder.
- Uphold public safety.

I will submit full location maps including photos of neighbouring properties and points of interest which I will reference when addressing the committee.

Please can you advise me if you need any further information

Thanks

[REDACTED]



*INGHAM STREET AREA CONSERVATION
& COMMUNITY ASSOCIATION*

17 November 2020

Re: Planning Application for Off License at 1 Rupert Street, Clayton Bridge, Manchester M40 1QU
 Applicant: Rebellion Del Ron
 Reference Number: 253090/BJ1

I am writing in response to the above planning application in relation to 1 Rupert Street, Clayton Bridge, Manchester M40 1QU.

A number of residents have commented on this application for a liquor license/off license at the above address which seems a rather strange request for a house in a quiet residential area.

Can I inform you that we do have within this area, an active area community group with the best interests of the residents and the area in general at heart, also you may or may not be aware that after our effort and commitment this area around the proposed application was designated a conservation area so with that in mind the local residents do take an interest in any proposed changes and planning applications which could be detrimental to the area. In the immediate vicinity are three care homes and a nursery and an application such as this is totally out of character for this area. Distributing licensed products we suggest should be ideally from a shop or commercial premises and not a house, which could cause problems in the area.

Therefore outlined below are some points of concern that have been voiced relating to the application which I hope you will take into account.

Problems could occur in the event there are disgruntled customers for any number of reasons, relating to a delivery, although the application does state on line only, individuals could still appear in person causing a disturbance.

Where will the products to be sold be stored if they are to be distributed from the said property and will there be suitable chilling facilities and a secure area. Planning permission would be needed for change of use for the property.

Concern has been raised relating to delivery and collection of products by numerous courier companies or the applicants vehicles, which could cause disruption, congestion and noise when loading and unloading vehicles

within the area. There is also the issue of public safety in relation to the additional vehicles moving around the small streets within this area.

In conclusion, this application as mentioned above seems a strange and inappropriate request for a residential house in a conservation residential area, which incidentally is a sought after area to live and properties do sell quickly. If this request is granted this will be out of character for the area and would have a detrimental affect o the value of the properties within the area. Therefore a license application of this type would be better suited to a commercial unit or shop premises.

With the above in mind, we would like to register an objection to this application.

Yours faithfully

[REDACTED]
[REDACTED]
On behalf of Ingham Street Area Conservation & Community Association

[REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

[REDACTED]

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

Document is Restricted

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. A written notice of 'authority' record for all staff who 'sell' alcohol. 2. Adequate training for staff and records kept for inspection. 3. Contact details of the Designated Premises Supervisor available to staff and the authorities. 4. There shall be no access to these licensed premises by members of the public. 5. The premises shall operate to fulfil online orders only. 6. Alcohol shall not be despatched from any premises, other than these licensed premises by the premises licence holder in accordance with this licence. 7. The Premises Licence Holder/Designated Premises Supervisor shall adopt an age verification policy throughout the whole process of operation, so that at any time, if customers are unable to prove they are 18, then the supply of alcohol shall be refused at the point of any ordering procedure or facility, on collection and also on delivery. 8. Where the Premises Licence Holder/Designated Premises Supervisor instructs third party couriers to deliver any items of alcohol previously ordered, every such delivery company must adopt a 'Challenge 25 policy', so that if on request, acceptable photographic documents cannot be produced to prove the date of birth of the purchaser, then the delivery shall be refused outright. 9. In all cases: <ol style="list-style-type: none"> a. delivery shall be made only to the address indicated on each respective order, and no other; b. delivery shall be refused to any person who is, or who appears to be, under the influence of alcohol or drugs. 10. Where delivery of alcohol by any third party courier is refused for any of the reasons given above, the Premises Licence Holder/Designated Premises Supervisor shall then continue communication with the third party courier, in order that the eventual outcome of the refused alcoholic goods, remains under the control of the management of the premises and not the third party courier. 	N/A	Applicant

Schedule of Licence Conditions

<p>11. The Premises Licence Holder/Designated Premises Supervisor shall keep records of:</p> <ol style="list-style-type: none"> a. the date and time of all alcohol orders and the full name and address of who has made each order (including details of any refusals); b. the date and time of the despatch of all orders from the licensed premises, and; c. the date and time when each delivery has been made, who to and where exactly (with details of any refusals), and the name of a third-party courier. <p>12. Such details shall be retained at the licensed premises/by the Premises Licence Holder, for possible inspection at any time on request, by a police officer or an authorised person of the licensing authority.</p> <p>13. The management and staff shall take all necessary steps to ensure that the business remains free from crime and disorder and neither creates nor contributes to crime and disorder. The operation of the business shall have a policy of:</p> <ol style="list-style-type: none"> a. maintaining staffing levels appropriately to ensure adequate security; b. no cash handling by couriers; c. observing the duty to be a responsible alcohol retailer and always refuse to supply alcohol where there is a likelihood that such a sale might contribute to crime and disorder. <p>14. The management and staff shall have an effective policy to promote public safety. The DPS shall liaise with the authorities to ensure that all aspects of public safety are adhered to. The policy shall include:</p> <ol style="list-style-type: none"> a. appropriate fire-fighting equipment being installed and maintained at the premises and staff trained in its use; b. no sale or supplies of alcohol undertaken where it is reasonably considered that this might negatively affect the public safety licensing objective; c. no members of the public shall be permitted to visit the licensed premises. <p>15. The DPS and staff are mindful of the need to reduce the impact of nuisance caused by the operation of the business, and shall constantly assess the risk of public nuisance and take immediate steps to eliminate the problem. Staff shall ensure:</p>		
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<p>a. deliveries from the premises shall be conducted in a responsible and considerate manner, ensuring no disturbance to local residents or businesses;</p> <p>b. deliveries received at the premises, and waste removal from the premises, shall be conducted at a time and in a manner that causes no disturbance to residents or businesses;</p> <p>c. the fulfilment of online orders (i.e. the selection and despatch from the premises) shall not occur other than between the hours of 0800 and 1700 on any day.</p> <p>16. The business shall be operated in such a way that reflects a commitment to be a responsible retailer. To protect children from harm there shall be a policy of:</p> <p>a. terms and conditions stressing that the purchaser and those receiving a delivery of alcohol must be at least 18 years of age;</p> <p>b. a Challenge 25 policy for alcohol sales;</p> <p>c. at the time the order is placed (over the phone or via the website) a declaration shall be required from the person placing the order that the person is over 18 years of age;</p> <p>d. the online ordering process shall prevent the consumer from placing an order until they have read the Challenge 25 statement unless the business calls the consumer to provide this information verbally before the order is accepted;</p> <p>e. anyone receiving a delivery and not appearing to be of the age of 25 years shall be required to produce appropriate identification proving that they have turned 18 in order to be supplied with alcohol;</p> <p>f. appropriate ID shall be a passport, photo driving licence, PASS accredited proof of age card or other reliable photo-ID that is recommended and approved for acceptance by the police or other authorities;</p> <p>g. staff shall be trained in all aspects of responsible alcohol retailing and in particular the Protection of Children including the Challenge 25 policy and the identification and refusal of potential 'proxy' purchasers;</p> <p>h. staff training shall occur before a staff member is authorised to sell or deliver alcohol for the business;</p> <p>i. staff training shall be recorded and signed off by the DPS and/or Premises Licence Holder;</p> <p>j. staff training records shall be available for inspection by the police or other responsible authority upon request;</p> <p>k. a refusals log shall be kept and reviewed regularly by the DPS and made available for inspection by the police and an appropriate local authority representative.</p>		
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Conditions proposed by objectors	Agreed	Proposed by
None	N/A	Miles Platting and Newton Heath Ward Councillors
None	N/A	Ingham Street Area Conservation and Community Association