



Licensing Sub Committee Hearing Panel

Date: Monday, 11 January 2021

Time: 10.00 am

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

Everyone is welcome to attend this Sub-Committee meeting.

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

Under the provisions of these regulations the location where a meeting is held can include reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers. This meeting is by way of a telephone conference. You can listen to the call as it takes place, the number of people able to listen to the live call is limited to 90.

Membership of the Licensing Sub Committee Hearing Panel

Councillors – Jeavons (Chair), Hughes and Andrews

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 - Robin Hood Takeaway, 383 Palatine Road, Manchester, M22 4FY

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

5. Premises Licence Variation - The Drawing Room, 445 Wilmslow Road, Manchester, M20 4AN

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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
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Further Information

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

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This agenda was issued on **Friday, 18 December 2020** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

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**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 11 January 2021

Subject: Robin Hood Takeaway, 383 Palatine Road, Manchester, M22 4FY -
App ref: Premises Licence (new) 251950

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: Northenden

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
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Name: Patrick Ware
Position: Technical Licensing Officer
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Background documents (available for public inspection):

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

1. **Introduction**

- 1.1 On 12 November 2020, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Robin Hood Takeaway, 383 Palatine Road, Manchester, M22 4FY in the Northenden 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 Herdn Amen Al-Dabak.
- 2.3 The description of the premises given by the applicant is Hot Food Takeaway: Food for collection. No seating area.
- 2.4 **The licensable activities applied for:**
 Provision of late night refreshment:
 Sun to Thu 11pm to 1am
 Fri to Sat 11pm to 3.30am
- Bank Holidays, Christmas Eve, Christmas Day and Boxing Day: Start 11pm, finish 3.30am
- Opening hours:
 Sun to Thu 2pm to 1am
 Fri to Sat 2pm to 3.30am
- Bank Holidays, Christmas Eve, Christmas Day and Boxing Day: Start 2pm, finish 3.30am

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**.

2.7 Further documentation accompanying the application

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

- Plan of the premises

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:

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

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	Concerns regarding the lack of conditions offered in the operating schedule; the applicant’s apparent lack of understanding of the licensing objectives; and the consequent likelihood that all four licensing objectives will be undermined.	Grant with agreed conditions

Licensing and Out of Hours Compliance	Concerns regarding absence of steps to promote the licensing objectives as given by the applicant; his clear lack of understanding of the four licensing objectives; the equivocal and ambiguous nature of the conditions offered; and the consequent risk of the licensing objectives not being promoted.	Refuse
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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 Greater Manchester Police.
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

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

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

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.**



Robin Hood Takeaway
383 Palatine Road, Manchester, M22 4FY

Premises Licensing
Manchester City Council

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Survey100019568.



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PREMISE NAME:	Robin Hood Takeaway
PREMISE ADDRESS:	383 Palatine Road, Manchester, M22 4FY
WARD:	Northenden
HEARING DATE:	11/01/2021

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 HERDN AMEN AL-DABAK
(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	
Robin Hood Takeaway 383 PALATINE ROAD NORTHENDEN	
Post town	MANCHESTER
Postcode	M22 4FY
Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 11,250.00

Part 2 - Applicant details

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

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

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

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

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- 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 AL-DABAK		First names HERDN AMEN		
Date of birth		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes		
Nationality		[REDACTED]		
Current residential address if different from premises address		[REDACTED]		
Post town	[REDACTED]	Postcode	[REDACTED]	
Daytime contact telephone number		[REDACTED]		
E-mail address (optional)		[REDACTED]		
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)				
[REDACTED]				

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
15	10	2020

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

DD	MM	YYYY
15	10	2022

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

HOT food takeaway. Food is collected or delivered. No sitting area available for customers. Kitchen area has an pizza oven, a grill, a donner grill, a fryer, 3 fridges, 3 freezers.

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

NA

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

B

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

C

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

D

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

E

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

F

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

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p>Please give further details here (please read guidance note 4)</p>		
Wed					
Thur			<p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)</p>		
Fri					
Sat			<p>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 (please read guidance note 6)</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	1:00	Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	23:00	1:00			
Wed	23:00	1:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	1:00		NONE	
Fri	23:00	3:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat	23:00	3:30			
Sun	23:00	1:00		Bank Holidays, Christmas Eve, Christmas Day, Boxing Day start 23:00 finish 3:30	

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 type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

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

Name	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

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

No entertainment.

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	14:00	1:00	None
Tue	14:00	1:00	
Wed	14:00	1:00	
Thur	14:00	1:00	
Fri	14:00	3:30	
Sat	14:00	3:30	
Sun	14:00	1:00	
			<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p> <p>Bank Holidays, Christmas Eve, Christmas Day, Boxing Day</p> <p>start 14:00 finish 3:30</p>

M

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

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

The terms and conditions are clear to everyone on the premises. Operating schedules will be respected.

b) The prevention of crime and disorder

CCTV will be installed. It will operate and maintained to the satisfaction of us and premises licencing officer. CCTV will be retained for a minimum of 14 days and produced on the request of the police. Malfunction of CCTV will be recorded

c) Public safety

First aid equipment is available on the premises. The gas system is inspected regularly by a Gas Safe Registered engineer. All rubbish is removed from public area on a frequent basis. Telephone numbers of local taxi operators are displayed.

in the incident book.

d) The prevention of public nuisance

To minimise the effect of littering, we provide bins inside the premises. At the end of the work day, litter will be collected and stored inside the premises pending collection container.

e) The protection of children from harm

Children must be supervised at all time by an adult responsible for their care.

Checklist:

Please tick to indicate agreement

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or
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	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	[REDACTED]
Date	12 / 10 / 2020
Capacity	Manager

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)			
HERDN AMEN AL-DABAK			
[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]			

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of the Local Government Act 1972.

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GREATER MANCHESTER POLICE - REPRESENTATION

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

About the Premises	
Application Reference No.	LPA 251950
Name of the Premises	Robin Hood Takeaway
Address of the premises including postcode	383 Palatine Road, Manchester M22 4FY

Your Representation	
<p>Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the licence on the licensing objectives on and in the vicinity of the premises in question.</p>	
<p>Please accept this as formal notification of the Greater Manchester Police objection to the premises licence in relation to the above premises on the grounds of Prevention of Crime and Disorder and the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.</p>	
<p>The operating schedule which accompanies the application offers very little in terms of enforceable conditions which show how the 4 Licensing Objectives will be upheld. It gives the impression that the applicant has a limited understanding of the Licensing Objectives, which raises concerns about how the premises will be operated.</p>	
<p>The likely effect of the grant of the Premises Licence with such a scant operating schedule is that all 4 of the Licensing Objectives will be undermined.</p>	
<p>We therefore ask that this application is refused.</p>	

From: Alan.Isherwood@gmp.police.uk <Alan.Isherwood@gmp.police.uk>
Date: Wed, 16 Dec 2020 at 08:05
Subject: RE: LPA 251950
To: [REDACTED] <[REDACTED]>, Premises Licensing
<Premises.Licensing@manchester.gov.uk>
Cc: CentralLicensing@gmp.police.uk <CentralLicensing@gmp.police.uk>

Dear All,

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

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

Kind Regards

PC 17659 Alan Isherwood

Divisional Licensing Officer

Greater Manchester Police

City of Manchester Division

1st Floor

Manchester Town Hall Extension

Lloyd Street

Manchester

M2 5DB

alan.isherwood@gmp.police.uk

0161 856 6017

Follow us on Twitter: @gmpolice

NOT PROTECTIVELY MARKED

From: [REDACTED] [mailto:[REDACTED]]
Sent: 16 December 2020 08:02
To: Alan Isherwood
Subject: Re: LPA 251950
Importance: High

Dear Alan,

Thank you for your email.

Sorry for the late reply. I was and I am busy finding a reliable person who can install the CCTV cameras with the conditions required.

Yes, we do agree to the conditions below mentioned in your recent email regarding CCTV cameras, and incident log book (we opted for a physical book) and training of the staff to deal with challenging customers who are under the influence of intoxicants.

Please, let us know if there is anything else we can do.

Kind regards,

Robin Hood takeaway

Herdn [REDACTED]

From: Alan.Isherwood@gmp.police.uk <Alan.Isherwood@gmp.police.uk>
Sent: 14 December 2020 07:02

To: [REDACTED] <[REDACTED]>
Subject: RE: LPA 251950

Hi,

Thanks for your email.

The conditions that we would want would be as follows:

The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record 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

Staff shall be trained to deal with challenging customers and customers who are under the influence of intoxicants. This training shall be repeated at no greater than 6 monthly intervals.

If you can agree to have these conditions attached to your licence then we could get this application agreed and hopefully granted.

Please can you let me know if you agree to these conditions.

Kind Regards

Alan

PC 17659 Alan Isherwood

Divisional Licensing Officer

Greater Manchester Police

City of Manchester Division

1st Floor

Manchester Town Hall Extension

Lloyd Street

Manchester

M2 5DB

alan.isherwood@gmp.police.uk

Follow us on Twitter: @gmpolice

NOT PROTECTIVELY MARKED

From: [REDACTED] [mailto:[REDACTED]]

Sent: 12 December 2020 18:08

To: Alan Isherwood

Subject: LPA 251950

Importance: High

Dear Alan Isherwood,

I am writing to comment on application LPA 251950, Robin Hood Takeaway situated on 383 Palatine Road. I am sorry to hear that you asked our application to be refused. This is our first time applying for a premises licensing and I wrote what we simply needed. It is about an extension to opening hours in order to increase our sales. Corona virus situation had a detrimental impact on our profit, so we hope that opening a bit earlier and closing a bit later, it may help. To be honest, I have no idea how to formulate those conditions in regard to 4 Licensing objectives.

Please, let us know what conditions should be favourable in order to grant the licence.

Kind regards,

Herdn [REDACTED]



Licensing & Out of Hours Compliance Team - Representation

Name	Mr Matthew Stewart
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	Matthew.stewart@manchester.gov.uk
Telephone Number	07976 904 089

Premise Details	
Application Ref No	251950
Name of Premises	Robin Hood Takeaway
Address	383 Palatine Road, Manchester, M22 4FY

Representation
<p>Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.</p> <p>The Licensing and Out of Hours team have assessed the likely impact of the grant of this application taking into account a number of factors, including:</p> <ul style="list-style-type: none"> • the nature of the area in which the premises is located; • the hours applied for, and; • any potential risk that the granting of this license could have on the • four licensing objectives. <p>The premises is described as a 'hot food takeaway' situated on Palatine Road, which has a mix commercial premises from licensed premises to retail.</p> <p>The grounds for the representation are on:</p> <ul style="list-style-type: none"> • Absence of steps to promote licensing objectives as given by the applicant; • A clear lack of understanding of the four licensing objectives by the applicant. <p>We, as the Environmental Health Responsible Authority, believe that the grant of this licence based on the steps to promote the licensing objectives as given by the applicant would not promote the licensing objectives as they are:</p> <ul style="list-style-type: none"> • Equivocal and ambiguous which would therefore be unclear to the Premises Licence Holder, local residents, Enforcement Officers and the Courts. <p>Licence conditions:</p> <ul style="list-style-type: none"> • must be appropriate for the promotion of the licensing objectives; • must be precise and enforceable; • must be unambiguous and clear in what they intend to achieve.

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

The use of wording such as "must", "shall" and "will" is encouraged (Revised Guidance issued under section 182 of the Licensing Act 2003).

Therefore we believe the grant of this licence will and ask that the is refused.

Recommendation: **Refuse Application**

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of the Local Government Act 1972.

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. CCTV shall be installed and maintained to the satisfaction of the Premises licence Holder and Licensing Officers. CCTV images will be retained for a minimum of 14 days and produced upon request of the police. Any malfunction of the CCTV will be recorded in the incident book. 2. First aid equipment shall be available on the premises. 3. All rubbish shall be removed from the public area on a regular basis. 4. Telephone numbers of local taxi operators shall be displayed. 5. To minimise the effect of littering, bins shall be provided inside the premises. 6. At the end of each working day, litter shall be collected and stored inside the premises pending collection. 7. Children must be supervised at all times by an adult responsible for their care 	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided. 2. 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: 	Yes (all)	GMP

Schedule of Licence Conditions

<p>a. (a) all crimes reported to the venue, or by the venue to the Police</p> <p>b. all ejections of patrons</p> <p>c. any incidents of disorder</p> <p>3. Staff shall be trained to deal with challenging customers and customers who are under the influence of intoxicants. This training shall be repeated at no greater than 6 monthly intervals.</p>		
<p>4. No conditions proposed as refusal recommended.</p>	<p>N/A</p>	<p>Licensing and Out of Hours</p>

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 Sub-Committee Hearing Panel – 11 January 2021

Subject: The Drawing Room, 445 Wilmslow Road, Manchester, M20 4AN -
App ref: Premises Licence variation 253599

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendations

That the Committee determine the application.

Wards Affected: Withington

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

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

Equal Opportunities Policy
 Risk Management
 Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Name: 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
- Any further documentary submissions by any party to the hearing

1. **Introduction**

- 1.1 On 16 November 2020, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of The Drawing Room, 445 Wilmslow Road, Manchester, M20 4AN in the Withington ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. **Current Licence**

- 2.1 The premises licence holder is Dominic Patterson and a copy of the current licence is attached at **Appendix 2**. The premises was previously called 'A Curious Collection.'

3. **The Application**

- 3.1 A copy of the application is attached at **Appendix 3**.
- 3.2 The variation is to extend alcohol serving time until 2am and closing time until 2.30am 7 days a week. For information, the current and proposed hours are listed below;
Supply of alcohol for consumption both on and off the premises:
Current hours: Mon to Sun 11am to 11.30pm
Proposed hours: Mon to Sun 12 noon to 2am
- Opening hours:
Current hours: Mon to Sun 11am to midnight
Proposed hours: Mon to Sun 12 noon to 2.30am
- 3.3 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.

3.4 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 3**.

3.5 **Activities unsuitable for children**

3.5.1 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.

3.6 **Steps to promote the licensing objectives**

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

3.6.2 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 5**.

4. **Relevant Representations**

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

Responsible Authorities:

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

Other Persons:

- Ward Councillor
- Withington Civic Society Planning Group
- Fallowfield Community Guardians
- South East Fallowfield Residents Group;
- Residents x 4.

4.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	Concerns as “the area where the premises are situated is now subject to a Stress Policy due to the problems in the area with night time economy related incidents” In addition: “The applicant has not demonstrated that this is a genuinely exceptional case nor have they shown within the operating schedule that there will	Refuse

	be no harm to the licensing objectives.”	
Licensing and Out of Hours Compliance	Concerns regarding the premises being within the Withington Stress Area and potential noise and disturbance caused to nearby residents. Suggest reducing the hours to closing at 1.30am Monday-Saturday and 1am Sunday, with last service being 1am Monday-Saturday and 12.30am Sunday	Grant with reduced opening hours and hours for sale of alcohol.
Fallowfield Ward Councillor	Concerns regarding possible implications for crime and disorder, noise nuisance and public harm in a residential area. Suggests reducing the hours to closing at 1.30am Monday to Saturday, and until 12.30am on Sunday. Sales of refreshment to cease at 1am Monday to Saturday and midnight on Sunday night. Wishes to ensure current conditions around litter are preserved.	Grant with reduced opening hours and hours for sale of alcohol.
Withington Civic Society Planning Group	Concerns as premises is within the Withington Stress Area, also raises concerns regarding increased litter in the area, anti social behaviour, on street drinking, late night parties by young people living in HMOs. Concerned that the steps to promote the licensing objectives are brief and inadequate.	Refuse
Fallowfield Community Guardians	Concerns as the premises is within the Withington Stress Area and that the variation, if granted could lead to an increase in anti-social behaviour. Other concerns include adding to existing noise and nuisances for residents from existing licensed premises, groups of people on narrow pavements and previous late night assaults in Withington Village.	Refuse
South East Fallowfield Residents Group	Raises concerns as the premises is within the Withington Stress Area. Concerned that the	Refuse

	variation, if granted, could lead to increased noise and disturbance, which is not limited to the weekend as there is a large student population in the area. Other concerns include public urination, increased litter, impact on children living in area, and increased criminal activity.	
Residents (x4)	Residents concerns include public nuisance, noise, anti social behaviour, increased litter, increased crime and disorder, litter, increased congregation of smokers on the narrow pavement outside premises, proximity of residential homes, previous violence in area, fire safety and Covid 19 security.	Refuse x 3 No recommendation stated x 1

No conditions have been proposed by objectors.

5. **Key Policies and Considerations**

5.1 **Legal Considerations**

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

5.2 **New Information**

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

5.3 **Hearsay Evidence**

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

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

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

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

5.5 **Manchester Statement of Licensing Policy**

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

5.5.5 **Section 5: Special Policy Area**

The premises is located within the following special policy area:

Withington Stress Area

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

	Closing time	Approach
Alcohol-led venues (on-licence)	Beyond 11.30pm	Strong presumption against. A genuinely exceptional case would need to be shown. The reasons for the exception should be shown in the operating schedule, and must demonstrate that there will be no harm to the licensing objectives, including from departing customers.

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

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

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

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

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

MS1	Implement effective security measures at the premises
MS2	Effective general management of the premises
MS3	Responsible promotion and sale of alcohol
MS5	Prevent on-street consumption of alcohol
MS8	Prevent noise nuisance from the premises
MS9	Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)
MS10	Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse

6. Conclusion

- 6.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 6.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 6.3 The Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:

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



The Drawing Room
445 Wilmslow Road, Manchester, M20 4AN

Premises Licensing
Manchester City Council

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PREMISE NAME:	The Drawing Room
PREMISE ADDRESS:	445 Wilmslow Road, Manchester, M20 4AN
WARD:	Withington
HEARING DATE:	11/01/2021



MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	176566
Granted	21/07/2015
Latest version	Transfer 247546 granted 18/07/2020

Part 1 - Premises details

Name and address of premises
A Curious Collection 445 Wilmslow Road, Manchester, M20 4AN
Telephone number
07951 585649

Licensable activities authorised by the licence
<ol style="list-style-type: none"> The sale by retail of alcohol*. The provision of late night refreshment. <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	2330	2330	2330	2330	2330	2330	2330
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non-standard Timings:							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							
On the day British Summer Time commences: One additional hour following the terminal hour.							

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	2400	2400	2400	2400	2400	2400	2400
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	2400	2400	2400	2400	2400	2400	2400
Seasonal variations and Non-standard Timings:							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							
On the day British Summer Time commences: One additional hour following the terminal hour.							

Part 2**Details of premises licence holder**

Name: Dominic Patterson

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol

Name: Mr David Pilling
Personal Licence number: 230244
Issuing Authority: Manchester City Council

Annex 1 – Mandatory conditions**Door Supervisors**

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

Supply of alcohol

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

$$P = D + (D \times V)$$

where –

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

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

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

Annex 2 – Conditions consistent with the operating schedule

1. There shall be installed a strategically located closed circuit TV cameras inside the premises. Recorded images shall be retained for 31 days and shall be available to the Police upon request.
2. A strategy shall be implemented and staff training given regarding dealing with incidents of disorder.
3. Staff shall be trained to be vigilant and identify suspicious behaviour and take appropriate action.
4. The licence holder/manager shall liaise with the Crime Reduction Officer and City Centre Safe Team within a reasonable period of time after issue of this licence with regards to reducing crime and disorder and ensuring public safety within the premises and act on any recommendation promptly.
5. The DPS or a delegated member of staff shall participate in local Pub Watch or Club Watch scheme and local area partnerships.
6. Where it is considered necessary the management shall implement a search policy to prevent drugs or offensive weapons being brought onto the premises.
7. Staff shall receive ongoing training to recognise drunkenness and refuse service to customers who have consumed excessive alcohol and training to handle potential troublemakers, and diffuse difficult situations.
8. Public Liability Insurance shall be maintained for the premises.
9. A safety plan shall be implemented that shall include fire safety and maintenance inspections.
10. An evacuation procedure, which includes emergency exit from the premises by disabled customers, shall be implemented at the premises and all staff shall be fully briefed in the procedure.
11. All staff and management shall be provided with adequate and suitable training to enable them to deal with incidents of disorder within the premises and to deal with any emergency situations.
12. Emergency exits shall remain unlocked and free from obstruction, both inside and outside, at all times.
13. The premises shall have an adequate supply of prominently positioned and regularly emptied litterbins with clear signage.
14. All waste shall be stored in secure vermin proof waste receptacles until it is collected.
15. Refuse shall be removed on a regular basis.
16. The management and staff shall ensure that the premises and the area immediately surrounding the

exterior of the premises are cleaned on a regular basis and remain free from debris and litter.

17. Prominent, clear and legible notices shall be displayed giving telephone numbers for taxi firms for customers to order cabs.
18. The licence holder shall liaise with the Environmental Health Department within a reasonable period of time after issue of this licence with regards to ensuring public safety and minimising public nuisance at the premises and act on any recommendation promptly.
19. Children shall only be permitted entry to the premises if accompanied by an adult.
20. Prominent signage shall be displayed about the laws relating to children and alcohol.
21. All members of management and staff shall be provided with adequate training to identify acceptable forms of identification to be requested from any person who appears to be under the age of 18 attempting to purchase alcohol.
22. All members of management and staff shall be provided with adequate training to deal with and be vigilant regarding any potentially harmful situations that may affect children on the premises.

Annex 3 – Conditions attached after hearing by the licensing authority

1. The supply of alcohol authorised by this licence shall be ancillary to the main function of the premises as a café or restaurant style operation and not the primary feature.
2. Substantial food and non-intoxicating beverages shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
3. The Challenge 21 scheme must be operated to ensure that any person who appears to be under the age of 21 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, or a card bearing the PASS hologram.

Annex 4 – Plans

See attached

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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**

Send completed application form to:

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

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Dominic Patterson

(Insert name(s) of applicant)

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

Premises licence number 176566

Part 1 – Premises Details

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

The Drawing Room
445 Wilmslow Road

Post town	Manchester	Postcode	M20 4AN
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Telephone number at premises (if any)	0161 511 3131
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Non-domestic rateable value of premises	£ 10750
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Part 2 – Applicant details

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

Part 3 - Variation

Please tick as appropriate

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

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

DD	MM	YYYY
[] []	[] []	[] [] [] []

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

Extend alcohol serving time until 2am and closing time until 2.30am 7 days a week

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

Part 4 Operating Schedule

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

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

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

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

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur								
Fri						<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 5)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3) Acoustic music to be played indoors (musicians may bring their own speaker)		
Mon					
Tue			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
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 5)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
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 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			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 2)	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 3)		
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 4)		
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 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				Please give further details here (please read guidance note 3)	
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	12pm	02:00am			
Tue	12pm	02:00am			
Wed	12pm	02:00am			
Thur	12pm	02:00am			
Fri	12pm	02:00am			
Sat	12pm	02:00am			
Sun	12pm	02:00am			
			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 5)		

K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	12pm	02:30am	
Tue	12pm	02:30am	
Wed	12pm	02:30am	
Thur	12pm	02:30am	
Fri	12pm	02:30am	
Sat	12pm	02:30am	
Sun	12pm	02:30am	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 5)

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

Please tick as appropriate

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

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

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

M

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

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

1. Customers will be required to only drink inside at all times
2. All windows and doors to stay closed after 9pm, apart from access and egress
3. No noise to emanate to the nearest residential location
4. Staff shall monitor customers smoking on a regular basis to ensure noise is kept to a minimum
5. Challenge 25 policy to be implemented

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:

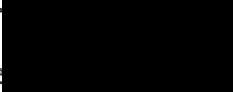
Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 10)

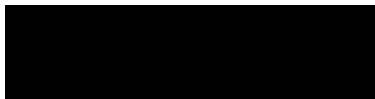
Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant, please state in what capacity.




Signature	
Date	16/11/2020
Capacity	Owner

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

Signature	
Date	
Capacity	

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



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

Notes for Guidance

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

1. 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. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. 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.
7. 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'.
8. 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.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

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

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REPRESENTATION: GREATER MANCHESTER POLICE**GREATER MANCHESTER POLICE - REPRESENTATION****About You**

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

About the Premises

Application Reference No.	LPV 253599
Name of the Premises	The Drawing Room
Address of the premises including postcode	445 Wilmslow Road, Manchester M20 4AN

Your Representation

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

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

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

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

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

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

REPRESENTATION: LICENSING & OUT OF HOURS COMPLIANCE TEAM
**MANCHESTER
CITY COUNCIL**
Licensing & Out of Hours Compliance Team - Representation

Name	Rhiannon Owen
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	
Telephone Number	

Premise Details	
Application Ref No	253599
Name of Premises	The Drawing Room
Address	445 Wilmslow Road, Manchester, M20 4AN

Representation
<p>Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.</p> <p>The Licensing and Out of Hours Team (LOOHT) have assessed the likely impact of the grant of this application taking into account a number of factors, including the nature of the area in which the premises is located and any potential risk the granting of this licence could lead to issues of public nuisance.</p> <p>In reaching this decision the LOOHT have also given particular consideration to Manchester City Council's Statement of Licensing Policy 2016 -2021, specifically:</p> <p>“Special policy in respect of Withington Stress Area</p> <p>5.16 There is evidence that the promotion of the licensing objectives within an identified area of Withington is being undermined as a consequence of the operation of licensed premises in the area, having regard to the complaints of local residents and the level of crime and disorder and public nuisance within it</p> <p>5.17 The licensing authority considers that although the level of problems do not currently justify the implementation of a cumulative impact and saturation policy for the area, the area is of concern and shall be kept under review</p> <p>5.18 Therefore the Council has adopted a Special Policy for the area, which shall be known as the Withington Stress Area”</p> <p>The premises have proposed hours of service until 2.30am Monday-Sunday, with the premises being within the Withington Stress Area this could cause disturbance due to noise nuisance to local residents within the area with it being a highly residential zone.</p>

The LOOH team have considered the implications granting these hours and acknowledge the likelihood of giving way to a noise nuisance caused by patrons and music from the venue. We would therefor suggest reducing the hours to closing at 1:30am Monday-Saturday and 1am Sunday – with last service being 01:00am Monday-Saturday and 12:30am Sunday.

We would also recommend all of annex 2 conditions to remain on the licence.

Recommendation:

Approve with Conditions (Outlined Above)

REPRESENTATION: COUNCILLOR CHRIS WILLS

From: **Chris Wills** <cllr.chris.wills@manchester.gov.uk>

Date: Tue, 24 Nov 2020 at 19:37

Subject: RE: Premises Licence variation 253599/GO2: The Drawing Room, 445 Wilmslow Road, Manchester, M20 4AN, (Withington ward)

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

Dear Grace

I am emailing on behalf of the Withington and Old Moat Councillors regarding this licensing application.

We are all very proud to support local independent businesses in Withington. We have seen a growth in these over the last few years, a sign of increased confidence in the area. Venues such as Southside (formerly Solomon's), Wilderness and Café Blah all add positively to the character of the local area. The arrival in Withington of The Drawing Room, one of the best bars on Burton Road in West Didsbury, is therefore to be welcomed.

We do however have concerns regarding the proposed hours. 2.30am, 7 nights a week, is very late for a district centre like Withington. While we appreciate that there is a precedent set by the licences granted to both Solomon's (as it was then) and Fuel, these were granted some years ago. Since then, the number of people – in particular families – who live in Withington Village has increased significantly. It is also to be noted that these hours are later than for comparable

venues in Chorlton and Didsbury. The cumulative impact of an increased number of venues open until 2.30am, every night, when venues in other district centres have closed well before then, therefore needs to be considered. There are potential implications for crime and disorder, noise nuisance and public harm.

We would therefore propose that The Drawing Room instead operates on the same closing hours as two nearby Withington venues: The Albert, and The Red Lion. These venues are open until 1.30am Monday to Saturday, and until 12.30am on Sunday. At both venues, sales of refreshment cease half-an-hour earlier than these times – 1.00am Monday to Saturday, and midnight on Sunday night.

In addition, it is important that the following existing conditions around waste and litter are preserved:

- The premises shall have an adequate supply of prominently positioned and regularly emptied litterbins with clear signage.
- All waste shall be stored in secure vermin proof waste receptacles until it is collected.
- Refuse shall be removed on a regular basis.
- The management and staff shall ensure that the premises and the area immediately surrounding the exterior of the premises are cleaned on a regular basis and remain free from debris and litter.

Many thanks and best wishes.

Chris

Councillor Chris Wills
Labour & Co-operative Member, Withington Ward

REPRESENTATION: WITHINGTON CIVIC SOCIETY PLANNING GROUP

From: [REDACTED]

Date: Wed, 25 Nov 2020 at 09:49

Subject: FW: Premises Licence variation 253599/GO2: The Drawing Room, 445 Wilmslow Road, Manchester, M20 4AN, (Withington ward)

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

Dear Sir/Madam

I refer to the licensing application referred to below

I attach representation of Withington Civic Society.

Thank you

Withington Civic Society planning coordinator

GO2: The Drawing Room, 445 Wilmslow Road M20 4AN

Premises Licence Application

Reference 253599/GO2

Response on behalf of Withington Civic Society Planning Group

1. Withington Civic Society Planning Group **opposes the application in respect of the supply of alcohol until 2 am 7 days a week.**

The Society is very keen to see new businesses in the area. However, in terms of the licence application, the key matter for consideration is Manchester City Council's Statement of Licensing Policy 2016-2021 published on 4 January 2016.

On page 29 of the policy there are the following provisions:

"Special policy in respect of Withington Stress Area

5.16 There is evidence that the promotion of the licensing objectives within an identified area of Withington is being undermined as a consequence of the operation of licensed premises in the area, having regard to the complaints of local residents and the level of crime and disorder and public nuisance within it

5.17 The licensing authority considers that although the level of problems do not currently justify the implementation of a cumulative impact and saturation policy for the area, the area is of concern and shall be kept under review

5.18 Therefore the Council has adopted a Special Policy for the area, which shall be known as the Withington Stress Area....."

There is reference to a map in Appendix 8 of the document. The relevant premises fall squarely within the designated area. The document continues....

"5.19 This Policy has been reviewed and updated analysis of the Policy area shows that there is still a higher proportion of incidents in this area and the level of issues remains broadly consistent since the policy came into effect, with increases in victim-based crime and violent crime. Although levels of antisocial behaviour, including that recorded as alcohol related, decreased in 2013/2014, it subsequently increased in 2014/2015. Therefore the authority considers it appropriate to retain the Policy for the 'Withington Stress Area' as it stands.

5.20 Withington is a residential area which, if not carefully planned, may attract late-night venues that cannot be set up in Fallowfield due to a CIP there. It is noted that while Withington suffers less antisocial

behaviour than Fallowfield, there is evidence of problems associated with operation of licenced premises in Withington, and the licensing authority does not wish to see an increase in antisocial behaviour.”

The document then sets out the relevant approach for new licences. After dealing with other types of establishments the following provision is made:

	<i>Closing time</i>	<i>Approach</i>
Alcohol-led venues (on-licence)	Beyond 11.30pm	Strong presumption against. A genuinely exceptional case would need to be shown. The reasons for the exception should be shown in the operating schedule, and must demonstrate that there will be no harm to the licensing objectives, including from departing customers

2. This application seeks a licence for the sale of alcohol both on and off the premises until 2.30 am 7 days a week. There must be a strong presumption against granting such a licence - in accordance with the paragraph above. Further, there is no good reason why such a licence should be granted, and to do so would be contrary to the Council’s stated policy for all the reasons given.
3. Of relevance also are the following points:
 - Litter in the area is already a problem and getting worse.
 - The incidence of anti social behaviour in the immediate area is getting worse with on street drinking, late night /all night parties by young people living in HMOs.
 - The problems of for example Fallowfield are working their way into Withington. The policy mentioned above was specifically designed to avoid this happening
4. The steps to promote the licensing objectives, as given by the applicant are brief and inadequate. They do not meet in any way the provisions of the Statement of Licensing Policy in Section 8.
5. In any event, whatever steps the applicant may take, the overwhelming probability is that the existence of yet another licensed premises in this part of Withington will only exacerbate the problems associated with such premises as identified in the Policy quoted above.

Therefore the application should be refused. We suggest a closing time of 11 pm during the week and 11.30 pm on Friday/Sat

For and on behalf of Withington Civic Society Planning Group

REPRESENTATION: FALLOWFIELD COMMUNITY GUARDIANS

From: **Fallowfield Community Guardians** [REDACTED]

Date: Thu, 10 Dec 2020 at 11:54

Subject: Premises Licence variation 253599/GO2: The Drawing Room, 445 Wilmslow Road, Manchester, M20 4AN, (Withington ward)

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

Cc: Fraser Swift <f.swift@manchester.gov.uk>, Alan Isherwood <Alan.Isherwood@gmp.police.uk>, Alex Hill <alex.hill@manchester.gov.uk>

Dear Sirs

I am writing on behalf of Community Guardian residents in SE Fallowfield and Withington to object to the variation of license application at 445 Wilmslow Road, M20 4AN. The hours requested for the sale of alcohol until 2am, closing at 2.30am every night are completely unacceptable in an area which is covered by a stress policy which was brought into place by MCC because of existing problems of anti-social behaviour.

Withington Stress Licensing Policy

Withington village is covered by a special stress zone licensing policy (2013) implemented by MCC because of the excessive problems of anti-social behaviour further up Wilmslow Road in Fallowfield which have arisen due to a large number of pubs, bars, off licenses and take-aways with late licenses. There is concern that now Fallowfield is 'full', alcohol and take away outlets would move further south to nearby Withington causing similar problems to arise there. The stress policy has recently been reviewed and the policy remains in place because of high levels of anti-social behaviour. Residents consider that another late night take alcohol- led venue will undermine the licensing objectives for public safety, public nuisance and could lead to increased crime and disorder. Littering is also likely to increase and this is currently another major concern to Withington residents.

Withington already has a number of licensed premises (e.g. Fuel, Indigo) which cause noise and disturbance. These late licenses were granted before the Stress Policy was established. Residents do not wish to see any additional premises open during the early hours due to associated noise and nuisances that occur. It is important to note that there are residential properties above shops on Wilmslow Road and behind the shops. These include social housing and nearby apartments for the elderly. Often residents have no advocate, they have no knowledge of the licensing process or how to complain. Many of these residents do not belong to a residents group and simply suffer. The stress policy exists to protect residents and uphold the licensing objectives as set out in MCC Licensing Policy.

https://www.manchester.gov.uk/downloads/download/1905/premises_licensing_policy_2011_-_2016

This policy identifies on p30 that for the Withington Stress Policy area, there should be a strong presumption against a licence for alcohol after 11.30pm for alcohol led venues. Exceptional reasons to depart from this policy should be provided. The applicant has not demonstrated an exceptional case in our opinion.

Preventing Public Nuisance & Crime & Disorder

The suburbs of Fallowfield and Withington both have a very high density of students; thousands of young people are concentrated in and around our area and this is a factor which contributes significantly to night time noise for residents. Many young people engage with the night economy and licensed premises open during the early hours act as a magnet for groups. The provision of late night alcohol significantly adds to this sort of nuisance.

Before the pandemic, there were often groups of people on the narrow pavements outside the premises that open late (e.g Fuel, Indigo). There have also been serious late night assaults in Withington village including a stabbing at Indigo nightclub in February 2020 which is just two doors away at 459 Wilmslow Road <https://mancunions.com/2020/02/07/indigo-closed-after-stabbing-by-member-of-south-manchester-gang-awating-student-comment/>.

Adding another licensed premise with a 2.30am terminal hour would be very likely to increase the cumulative stress of noise and nuisance in the Withington area. We would ask you to refuse this license and take note of the special license policy that exists for Withington to protect the village. We are keen to make sure that Withington does not turn into a village of bars and take-aways and thus create the problems that are so well documented in Fallowfield. We feel that the licensing objectives would be compromised if this venue were to extend opening hours into the early hours and we see no reason to depart from the policy which is to refuse all alcohol licenses after 11.30pm.

Yours

██████████
Community Guardian Coordinator
SE Fallowfield & Withington

REPRESENTATION: SOUTH EAST FALLOWFIELD RESIDENTS GROUP

From: **sefrg.residents** ██████████
Date: Mon, 14 Dec 2020 at 20:05
Subject: Premises Licence Variation 253599/GO2 The Drawing Room, 445 Wilmslow Road, M20 4AN (Withington Ward)
To: Premises Licensing <premises.licensing@manchester.gov.uk>

Dear Sirs,

Re: 445 Wilmslow Road, M20 4AN - The Drawing Room

I am writing on behalf of SEFRG - South East Fallowfield Resident's Group to object to the above licence application.

This application is for a premises in Withington village which is subject to a special licensing policy; the stress policy. This measure was adopted in 2013 because there was particular concern that more licensed premises - and later opening hours - would negatively impact on the licensing objectives in the village. It therefore means that unless a 'genuinely exceptional case' is shown there will be a strong presumption against granting any new licences, or variations. Furthermore, if the applicant believes their premises should be regarded as an exception, they should show this in their operating schedule.

How this application is likely to impact on the licensing objectives;

1) Public Nuisance

Noise

This business already has premises on Burton Road in West Didsbury and on facebook it is advertised as open for 'Cocktails, Beer, Music and Late Nights' - i.e. it is not a food driven venue, it is in fact a bar specialising in late nights. Tripadvisor reviews are quite mixed with several recent reviews describing it as 'poor' or 'terrible' and mentioning that 'it's the latest bar open in the area' and 'although it's cramped, the late licence is a gift on Burton Road. Often our last spot'. It seems quite clear that the proposed new bar will be run along similar lines, otherwise why bother applying for a late licence in a stress policy area. I think some people might wonder why the applicant would wish to open a bar just 0.8 miles away from the current premises however, when you realise it means tapping into the highly lucrative student market in Withington and Fallowfield (as opposed to the Didsbury market), then you can quite understand the business case for it. The problem for local residents is the disturbance caused by patrons returning home after a (drunken) late night. Students, in particular, often don't limit going out to the weekends but will go out any night of the week - especially when there are drinks' promotions - and local residents often report being woken by groups of student aged people noisily walking back to their HMOs and sometimes even urinating against trees, or in front gardens. This disturbance/ASB is extremely damaging to the health and welfare of local residents and has caused many families to move out of the area.

Rubbish

Many people returning home after a night out drinking, will often pick up a takeaway on their way home and because drunk people are not usually terribly fastidious, we often see takeaway litter and vomit on the street in the morning and broken drinks' bottles on the pavements and stuffed in hedges. This is extremely depressing to wake up to and I find it sad that children growing up in this area, see these levels of litter and must think it is normal to live in this type of environment.

2)The Prevention of Crime and Disorder and Public Safety

There have been relatively recent instances of serious criminal activities in Withington village which have occurred in licensed premises, for example, in February this year it was reported that two people were stabbed by an alleged gang member just two doors down from these premises. The more late night bars there are in an area, the more unsavoury characters and people wanting an 'all-nighter' are likely to be attracted to the area - it becomes a destination place. It is not appropriate that a residential suburb like Withington which is home to a lot of

RE: Application Type: Premises Licence variation
| **Reference:** 253599/GO2 | **Premises:** The Drawing Room, 445 Wilmslow Road,
Manchester, M20 4AN | **Applicant:** Dominic Patterson.

As an SEFRG neighbour I write to lodge an objection to the above application which I believe would negatively impact our Withington village, Fallowfield and neighbouring Old Moat neighbourhoods.

My causes of concern are that it is very likely to lead to an increase in **public nuisance** (noise, anti social behaviour, litter) and possibly increase in **crime and disorder** due to a considerably increased footfall.

Another concern is for **public safety** as increased levels of litter are a significant risk for older persons shopping in the village in the mornings vulnerable to slips, trips and falls with potentially devastating consequences.

Thank you in advance of your due consideration of my objection.

Regards,

[REDACTED]
[REDACTED]

REPRESENTATION: RESIDENT 2

From: [REDACTED]
Date: Mon, 14 Dec 2020 at 10:43
Subject: Premises Late Night Licence Variation - Ref: 253599/GO2: The Drawing Room, 445 Wilmslow Road, Manchester M20 4AN
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>

Dear Sirs

Thank you for the notification in respect of the above application.

4

I strongly object to the Premises Late Night Licence Application for the following reasons:

- It will very likely lead to an increase in public nuisance including:
 - Anti-social behaviour, there is likely to be noise nuisance when customers leave the premises in the early hours.

- Litter, there is nothing in the application that addresses this issue.
- There is potential for an increase in crime and disorder.
- There is likely to be a congregation of smokers on the narrow pavement outside contributing to noise pollution affecting adjoining residential accommodation.

The stress policy adopted for Withington in 2013 along with a cumulative impact policy both measures are designed to protect the residents from the effects listed above.

I would urge you to reject this application.

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

REPRESENTATION: RESIDENT 3

From: [REDACTED]
Date: Mon, 14 Dec 2020 at 15:59
Subject: Reference: 253599/GO2 | Objection
To: premises.licensing@manchester.gov.uk <premises.licensing@manchester.gov.uk>
Cc: [REDACTED]

Dear Premises Licensing,

I write to object to the application **Reference: 253599/GO2**.

As a local resident, I urge that the guidance of the 2013 Withington Stress policy be followed, not least because this area is basically residential in character.

Compelling reasons for an exception would need to be provided by the applicant. No such compelling reasons have been given.

The mitigation steps are either impractical or not under the applicant's control.

Moreover, as bitter experience has taught us and also why the stress policy was introduced, such a licensing change will lead to an increase in public nuisance, through littering, noise, and anti-social behaviour.

This application should be refused.

In these days of Covid-19 natural ventilation is being increasingly advocated, so how can this statement be credible?

No noise to emanate to the nearest residential location

This property is surrounded by a variety of residential properties. There is a special policy for a reason!

Staff shall monitor customers' smoking on a regular basis to ensure noise is kept to a minimum

Where is this smoking area going to be located? In the public car park at the rear of the property? On the already very narrow pavement on Wilmslow Road outside the entrance to this establishment? I would reiterate my point immediately above i.e. this property is surrounded by a variety of residential properties.

Challenge 25 policy to be implemented

Presumably there is will be at least two authorised/qualified door staff on duty at all times?

I would strongly urge you to reject this application.

Yours faithfully,

██████████
██████████
██████████
██████████

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. Customers shall be permitted only to drink inside at all times. 2. All windows and doors shall stay closed after 9pm, apart from access and egress. 3. No noise shall emanate from the premises as measured at the nearest residential location. 4. Staff shall monitor customers smoking on a regular basis to ensure noise is kept to a minimum. 5. A Challenge 25 policy shall be implemented. 	N/A	Applicant

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