



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 8 February 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** – Andrews (Chair), Hassan and Hughes

## Agenda

---

**1. Urgent Business**

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

**2. Appeals**

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

**3. Interests**

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

**4. Premises Licence Variation - The Cooperative Food Store, Corporation Street, Manchester, M4 4BE**

5 - 64

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

**5. New Premises Licence - International Mini Market, 455-457 Wilmslow Road, Manchester, M20 9AN**

65 - 156

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

## Information about the Committee

---

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

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

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

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

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

Smoking is not allowed in Council buildings.

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

## Further Information

---

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

Ian Hinton-Smith  
Tel: 0161 234 3043  
Email: [ian.hinton-smith@manchester.gov.uk](mailto:ian.hinton-smith@manchester.gov.uk)

This agenda was issued on **Thursday, 28 January 2021** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

This page is intentionally left blank

**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Sub-Committee Hearing Panel – 08 February 2021

**Subject:** The Cooperative Food Store, The Cooperative Food Store,  
Corporation Street, Manchester, M4 4BE - App ref: Premises  
Licence variation 253583

**Report of:** Director of Planning, Building Control & Licensing

**Summary**

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

**Recommendations**

That the Panel determine the application.

**Wards Affected:** Piccadilly

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

A connected city: world class infrastructure and connectivity to drive growth	
---	--

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

Equal Opportunities Policy  
Risk Management  
Legal Considerations

---

**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

---

**Contact Officers:**

Name: Fraser Swift  
Position: Principal Licensing Officer  
Telephone: 0161 234 1176  
E-mail: 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 20 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 Cooperative Food Store, The Cooperative Food Store, Corporation Street, Manchester, M4 4BE in the Piccadilly 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 Co-operative Group Food Limited and a copy of the current licence is attached at **Appendix 2**.

## 3. **The Application**

- 3.1 A copy of the application is attached at **Appendix 3**.
- 3.2 The variation is to permit the sale of alcohol 24 hours per day Monday to Sunday but subject to the additional conditions that sales between the hours of midnight and 8am shall be for delivery only and that customers shall not have access to the premises between the hours of midnight and 6am. In all other respects, the licence shall remain the same.

### **Supply of alcohol for consumption off the premises only**

Current hours: Mon to Sun 8am to midnight

Proposed hours: Mon to Sun 0000 to 2400

### **Opening hours**

Current hours: Mon to Sun 0000 to 2400

Proposed hours: Mon to Sun 6am to midnight

- 3.2.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800

and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.

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

3.3 **Activities unsuitable for children**

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

3.4 **Steps to promote the licensing objectives**

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

3.4.2 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 One relevant representation was received in respect of the application (**Appendix 4**). The personal details of all members of the public have been redacted. An original copy of this representation will be available to the Committee at the hearing.

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;

4.2 Summary of the representations:

Party	Grounds of representation	Recommends
<b>Licensing and Out of Hours Compliance</b>	The Licensing and Out of Hours team have concerns that the granting of this licence, in it's current form, could lead to issues of public nuisance.	Grant with conditions

4.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 5**.

4.4 Agreements on conditions have not been reached.

5. **Key Policies and Considerations**

5.1 **Legal Considerations**



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

## 5.2 **New Information**

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

## 5.3 **Hearsay Evidence**

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

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

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

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

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

## 5.5 **Manchester Statement of Licensing Policy**

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

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

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

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

**Section 6: What we aim to encourage**

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

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

**Section 7: Local factors**

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

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

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

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

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

- MS8 Prevent noise nuisance from the premises

### ***Section 9: Alcohol delivery services***

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

## **6. Conclusion**

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

This page is intentionally left blank

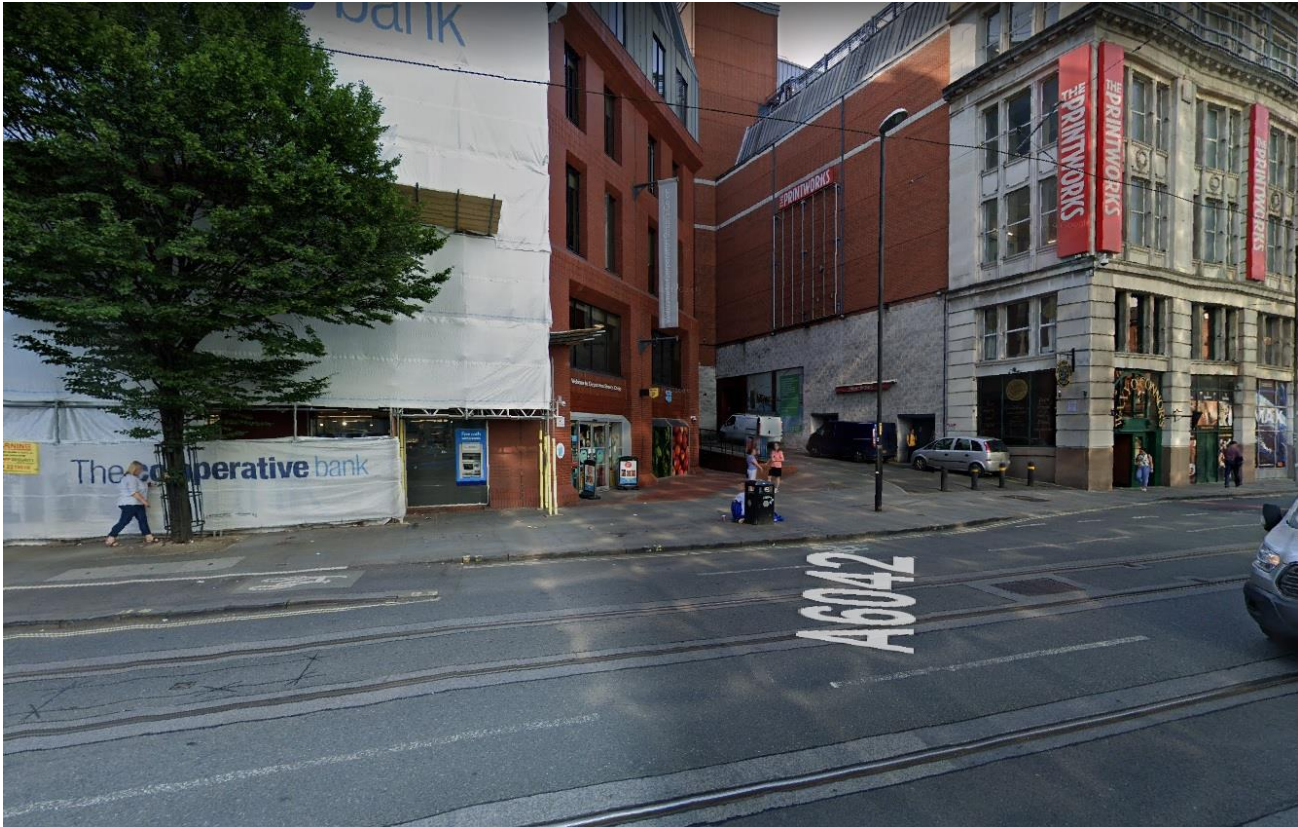


The Cooperative Food Store  
The Cooperative Food Store, Corporation Street,  
Manchester, M4 4BE

Premises Licensing  
Manchester City Council

© Crown copyright and database rights 2018. Ordnance  
Survey100019568.





<b>PREMISE NAME:</b>	The Cooperative Food Store
<b>PREMISE ADDRESS:</b>	The Cooperative Food Store, Corporation Street, Manchester, M4 4BE
<b>WARD:</b>	Piccadilly
<b>HEARING DATE:</b>	08/02/2021



# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

<b>Premises licence number</b>	<b>097426</b>
<b>Granted</b>	<b>14/06/2007</b>
<b>Latest version</b>	<b>DPS variation 248710 granted 25/08/2020</b>

### Part 1 - Premises details

<b>Name and address of premises</b>
<b>The Co-operative Food</b> Corporation Street, Manchester, M4 4BE

<b>Licensable activities authorised by the licence</b>
<ol style="list-style-type: none"> <li>1. The sale by retail of alcohol*.</li> <li>2. The provision of late night refreshment</li> </ol> <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

<b>Sale by retail of alcohol</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0800	0800	0800	0800	0800	0800	0800
Finish	2400	2400	2400	2400	2400	2400	2400
The sale of alcohol is licensed for consumption off the premises only.							
<b>Seasonal variations and Non-standard Timings:</b>							
None							

<b>Provision of late night refreshment</b>							
<b>Standard timings</b>							
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.							
<b>Seasonal variations and Non standard Timings:</b>							
None							

<b>Hours premises are open to the public</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0000	0000	0000	0000	0000	0000	0000
Finish	2400	2400	2400	2400	2400	2400	2400
<b>Seasonal variations and Non-standard Timings:</b>							
None							

**Part 2**

<b>Details of premises licence holder</b>	
<b>Name:</b>	Co-operative Group Food Limited
<b>Address:</b>	Dept 10227, 1 Angel Square, Manchester, M60 0AG
<b>Registered number:</b>	IP26715R

<b>Details of designated premises supervisor where the premises licence authorises for the supply of alcohol</b>	
<b>Name:</b>	Sarah Marie McGee
<b>Personal Licence number:</b>	100408
<b>Issuing Authority:</b>	Manchester City Council

<b>Annex 1 – Mandatory conditions</b>	
<b>Door Supervisors</b>	
1.	<p>Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: -</p> <ul style="list-style-type: none"> <li>(a) Unauthorised access or occupation (e.g. through door supervision),</li> <li>(b) Outbreaks of disorder, or</li> <li>(c) Damage,</li> </ul> <p>unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.</p>
<b>Supply of alcohol</b>	
2.	<p>No supply of alcohol may be made under this premises licence:</p> <ul style="list-style-type: none"> <li>(a) At a time when there is no designated premises supervisor in respect of the premises licence or,</li> <li>(b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.</li> </ul>
3.	<p>Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence</p>
4.	<ul style="list-style-type: none"> <li>(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.</li> <li>(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.</li> <li>(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 – <ul style="list-style-type: none"> <li>(a) a holographic mark, or</li> <li>(b) an ultraviolet feature.</li> </ul> </li> </ul>
5.	<ul style="list-style-type: none"> <li>(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.</li> <li>(2) For the purposes of the condition set out in (1) above– <ul style="list-style-type: none"> <li>(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979</li> <li>(b) “permitted price” is the price found by applying the formula– <math display="block">P = D + (D \times V)</math> <p>where –</p> </li> </ul> </li> </ul>



- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

#### **Annex 2 – Conditions consistent with the operating schedule**

1. The premises shall maintain a CCTV system which gives coverage of all entry and exit points. The system shall continually record whilst the premises are open and conducting licensable activities. All recordings shall be stored for a minimum period of 28 days and shall be capable of being easily downloaded. Recordings shall be made available upon the receipt of a request by an authorised Officer of the Police or the Local Authority.
2. There shall be "CCTV in Operation" signs prominently displayed at the premises.
3. An incident log (whether kept in a written or electronic form) shall be retained at the premises and made available to an authorised Officer of the Police or the Local Authority.
4. The premises shall operate a proof of age scheme, such as a Challenge 25, whereby the only forms of acceptable identification shall be either a photographic driving licence, a valid passport, military identification or any other recognised form of photographic identification incorporating the PASS logo, or any other form of identification from time to time approved by the secretary of the state.
5. The premises shall be fitted with a burglar alarm system.
6. The premises shall be fitted with a panic button system for staff to utilise in the case of an emergency.
7. The premises licence holder shall ensure that the appropriate fire safety, and health and safety regulations are applied at the premises.
8. The premises licence holder shall, upon request, provide the telephone number of their Customer Relations Contact Centre.
9. All staff shall receive comprehensive training in relation to age restricted products and in particular the sale of alcohol. No member of staff shall be permitted to sell age restricted products until such time as they have successfully completed the aforementioned training.

10. An age till prompt system shall be utilised at the premises in respect of age restricted products.
11. A refusals register (whether kept and written or electronic form) shall be maintained at the premises and shall be made available for inspection upon request by an authorised Officer of the Police or the Local Authority.

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

Not applicable

**Annex 4 – Plans**

See attached

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

Document is Restricted

This page is intentionally left blank

**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 Co-operative Group Food Ltd

*(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 097426
-----------------------------------

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description COOP Corporation Street			
Post town	Manchester	Postcode	M4 4BE
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£68,000	

**Part 2 – Applicant details**

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address		1 Angel Square	
Post town	Manchester	Postcode	M60 0AG

**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
<input type="text"/>	<input type="text"/>	<input type="text"/>

**Please describe briefly the nature of the proposed variation (Please see guidance note 2)**

To permit the sale of alcohol 24 hours per day Monday to Sunday but subject to the additional conditions that sales between the hours of midnight and 08:00 shall be for delivery only and that customers shall not have access to the premises between the hours of midnight and 06:00.

In all other respects, the licence shall remain the same.

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)

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

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					



**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Wed					
Thur			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
			<b><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></b> (please read guidance note 6)

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				<b><u>Please give further details here</u></b> (please read guidance note 4)	
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)					
Mon								
Tue								
Wed						<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Thur								
Fri						<b>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</b> (please read guidance note 6)		
Sat								
Sun								

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Wed					
Thur			<b>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</b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Wed					
Thur			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**H**

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

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)					
Mon								
Tue								
Wed						<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
Thur								
Fri						<b>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</b> (please read guidance note 6)		
Sat								
Sun								



**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	0000	2400			
Tue	0000	2400			
Wed	0000	2400			
Thur	0000	2400			
Fri	0000	2400			
Sat	0000	2400			
Sun	0000	2400			
			<b>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</b> (please read guidance note 6)		

**K**

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

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	0600 -----	0000 -----	
Tue	0600 -----	0000 -----	
Wed	0600 -----	0000 -----	
Thur	0600 -----	0000 -----	
Fri	0600 -----	0000 -----	
Sat	0600 -----	0000 -----	
Sun	0600 -----	0000 -----	<b>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</b> (please read guidance note 6)

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.

Any conditions which conflict with the terms of this application.

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 10)**

Having had regard to the four licensing objectives and the locality, the nature of the application and having had discussions with the Police, no additional conditions are appropriate save that which is mentioned below.

**b) The prevention of crime and disorder**

1. The sale of alcohol between the hours of midnight and 08:00 shall be for delivery only.
2. Customers shall not have access to the premises between the hours of midnight and 06:00.

**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; or  
I have not made or enclosed payment of the fee because this application has been made in  
relation to the introduction of the late night levy.
- 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 11)

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

Signature	[REDACTED]
Date	13 November 2020
Capacity	Solicitors for the Applicant

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). 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 14)**

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

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

Document is Restricted

This page is intentionally left blank





**MANCHESTER  
CITY COUNCIL**

**Licensing & Out of Hours Compliance Team - Representation**

Name	Sandra Dawson
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	s.dawson@manchester.gov.uk
Telephone Number	0161 234 1220

**Premise Details**

Application Ref No	REF 684108
Name of Premises	The Co-operative Food Store
Address	The Cooperative Food Store, Corporation Street, Manchester, M4 4BE

**Representation**

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

The Licensing and Out of Hours team have assessed the likely impact of granting the new licence to the Co-Operative Food Store, taking into account a number of factors and the licensing objectives, having particular regard to the prevention of public nuisance.

The Licensing and Out of Hours (LOOH) team has given consideration to Manchester City Council's Statement of Licensing Policy 2016-2021.

The premises is situated on Corporation Street. The side of the premises leads to one of the entrances at the Printworks, and the Co-Operative Bank adjoins the food store on the other side. The area is predominantly commercial and retail, with a hotel, Hotel Indigo, opposite the premises.

The Co-Operative Foodstore store has a premises licence, whereby they can open 24 hours per day, but sell alcohol from 08.00-24.00. The new licence seeks to amend the hours for opening to the public and hours they can sell alcohol. The application seeks to sell alcohol 24hours per day, but from midnight-08.00 it will be for delivery only, and customers shall not have access to the premises between the hours of midnight and 06.00. The alcohol will be collected from the side entrance, which is staffed 24 hours per day via the Co-operative bank.

The Licensing and Out of Hours team have concerns that the granting of this licence, in it's current form, could lead to issues of public nuisance.

The Licensing and Out of Hours team propose the following conditions:

1. No bottles, glasses or similar items may be disposed of in outside receptacles between midnight and 06.00 hours.

2. All collections shall take place in a manner that will not cause a noise disturbance to the occupiers of any residential properties surround the premises. This includes the avoidance of slamming doors, playing loud music, shouting, overrevving engines and sounding horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the delivery address and will park considerately without causing any obstruction to the highway.
3. All deliveries of alcohol shall only be delivered to a premises address with a valid postcode and will only be delivered directly to that property.
4. Customers must be instructed when placing the order that they will not be able to collect the order from the vehicle. All deliveries will only be made directly to the property address and customers will not be permitted to take orders from the vehicle.
5. The premises licence holder shall provide the following information in writing to the licensing authority before any sale of alcohol is carried out:
  - The trading name of the company that will operate under the licence
  - All telephone numbers that will be used to accept orders
  - The URL/website address that will be used to accept orders.Any change to this information must be notified to the licensing authority within 7 days.
6. All deliveries of alcohol from the premises shall be collected by an employee of Deliveroo. Any change to another similar home-delivery courier service can only be made once evidence has been provided which satisfies the Responsible Authority, that the licensing objectives will be upheld and agreement is made.

We consider these conditions to be proportionate and appropriate to prevent public nuisance from occurring at the premises.

Recommendation: Approve with Conditions (Outlined Above)

## Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> <li>1. The sale of alcohol between the hours of midnight and 08:00 shall be for delivery only.</li> <li>2. Customers shall not have access to the premises between the hours of midnight and 06:00.</li> </ol>	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> <li>1. No bottles, glasses or similar items may be disposed of in outside receptacles between midnight and 06.00 hours.</li> <li>2. All collections shall take place in a manner that will not cause a noise disturbance to the occupiers of any residential properties surround the premises. This includes the avoidance of slamming doors, playing loud music, shouting, overrevving engines and sounding horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the delivery address and will park considerately without causing any obstruction to the highway.</li> <li>3. All deliveries of alcohol shall only be delivered to a premises address with a valid postcode and will only be delivered directly to that property.</li> <li>4. Customers must be instructed when placing the order that they will not be able to collect the order from the vehicle. All deliveries will only be made directly to the property address and customers will not be permitted to take orders from the vehicle.</li> <li>5. The premises licence holder shall provide the following information in writing to the licensing authority before any sale of alcohol is carried out: <ul style="list-style-type: none"> <li>• The trading name of the company that will operate under the licence</li> <li>• All telephone numbers that will be used to accept orders</li> <li>• The URL/website address that will be used to accept orders.</li> </ul> <p>Any change to this information must be notified to the licensing authority within 7 days.</p> </li> <li>6. All deliveries of alcohol from the premises shall be collected by an employee of Deliveroo. Any change to another similar home-delivery courier service can only be made once evidence has been provided which satisfies the Responsible Authority, that the licensing objectives will be upheld and agreement is made.</li> </ol>	No	Licensing and Out of Hours

This page is intentionally left blank

**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Sub-Committee Hearing Panel – 08 February 2021

**Subject:** International Mini Market, 455-457 Wilmslow Road, Manchester, M20 9AN - App ref: Premises Licence (new) 254479

**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:** Withington

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

infrastructure and connectivity to drive growth	
---	--

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

Equal Opportunities Policy  
Risk Management  
Legal Considerations

---

**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

---

**Contact Officers:**

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

Name: Lauren Hyndman  
Position: Technical Licensing Officer  
Telephone: 0161 234 1176  
E-mail: premises.licensing@manchester.gov.uk

**Background documents (available for public inspection):**

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

## 1. Introduction

- 1.1 On 17 December 2020, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of International Mini Market, 455-457 Wilmslow Road, Manchester, M20 9AN in the Withington 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 Middle East Grocery Ltd.
- 2.3 The description of the premises given by the applicant is: This is a pre-existing Convenience Store. We would like to obtain an Off-Licence in order to add to our offering and have proposed a comprehensive raft of Conditions to ensure that we promote and support the Licensing Objectives in their entirety.
- 2.4 The proposed designated premises supervisor is Sirwan Rasoul Kader
- 2.5 **The licensable activities applied for:**
- The supply of alcohol for consumption off the premises only:  
Mon to Sun 10am to 11pm  
Opening hours:  
Mon to Sun 7am to 12 midnight
- 2.5.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 2.5.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.

**2.6 Activities unsuitable for children**

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

**2.7 Steps to promote the licensing objectives**

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

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

**3. Relevant Representations**

3.1 A total of 7 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;

Other Persons:

- Withington Ward Councillor;
- Withington Civic Society Planning Group;
- Fallowfield & Withington Community Guardians
- South East Fallowfield Residents Group
- Resident x1

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
<b>GMP</b>	The grounds for the objection are the Prevention of Crime and Disorder and the Prevention of Public Nuisance. The area where the premises are situated is now subject to a Stress Policy partly due to the problems in the area with alcohol related incidents. Greater Manchester Police see no valid reason for the committee to depart from their own Stress Policy in this instance and would therefore ask that the application is refused.	Refuse



<b>Licensing and Out of Hours Compliance</b>	The Team have assessed the likely impact of the grant of this application taking into account a number of factors, including the nature of the area in which the premises is located and any potential risk the granting of this licence could lead to issues of public nuisance. LOOHT have also given consideration to Manchester City Council's Statement of Licensing Policy and do not consider the applicant to have made an exceptional case to justify departing from the policy.	Refuse
<b>Withington Ward Councillors</b>	There is concern regarding prevention of public nuisance, and prevention of crime and disorder. There is currently a major drive to improve Withington Village and commitment is needed from the Premises owners that they will play their part in this, and not allow the premises to become a cause of litter and antisocial behaviour, thereby hampering the good work being done.	N/a
<b>Withington Civic Society Planning Group</b>	The key matter for consideration is Manchester City Council's Statement of Licensing Policy 2016-2021 published on 4 January 2016, in particular, the special policy area (Withington Stress Area) which the Premises falls squarely within. There must be a strong presumption against such a licence in accordance with this Policy, A genuinely exceptional case would need to be shown. 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	Refuse
<b>Fallowfield &amp; Withington Community Guardians</b>	<p>There is a presumption for refusal of any new off licence provision in the Withington Stress Policy. Adding another off license to Withington high street is very likely to increase the cumulative stress of noise and nuisance in the Withington area. This application is not seen as an exceptional case despite the long list of proposed conditions.</p> <p>Alcohol is the fuel for much anti-social behaviour and it is felt that opening another off license will undermine the licensing objectives for public safety, public nuisance and increase</p>	Refuse

	crime and disorder.	
<b>South East Fallowfield Residents Group</b>	<p>The grounds for the objection are the application undermines all of the licensing objectives and is not a 'genuinely exceptional case' that would justify departing from the stress policy. There are concerns that an additional off licence will not help the problem of rough sleepers and beggars in the area, many of whom suffer from alcohol addiction, and whose presence is intimidating for children and the elderly.</p> <p>There are a large number of students who live in Withington and local residents are often disturbed by groups of drunk students who use local off-licenses to pre-load. Adding another off licence will increase these disturbances and the problem of littering. No benefits are seen to be gained from granting the licence.</p>	Refuse
<b>Resident</b>	<p>In recent times there has been a huge increase in the number of street beggars and drinkers, many being housed in local "hotels". Many residents have witnessed and experienced problems including drug dealing, drunken and aggressive behaviour from some of these people.</p> <p>Another potentially low-cost convenience store is likely to aggravate the position. The huge number of students residing in and visiting the neighbourhood is a significant contribution to night-time noise and disturbance both in Withington Village and local densely populated residential streets. It cannot be seen how an exceptional case can be made for this application as would be required by the Withington Stress Policy and it should be rejected.</p>	Refuse

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

#### 4. **Key Policies and Considerations**

##### 4.1 **Legal Considerations**

- 4.1.1 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.
- 4.2 **New Information**
  - 4.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.
  - 4.2.2 Alcohol Licensing: cumulative impact assessments By John Woodhouse (submitted by applicant) **Appendix 5**.
  - 4.2.3 Crime changes in Manchester 2020 (submitted by applicant) **Appendix 6**.
  - 4.2.4 Update from Cllr Chris Wills at **Appendix 7**.
  - 4.2.5 Email in response to Objections (Submitted by applicant) at **Appendix 8**.
  - 4.2.6 Updated version of Plan at **Appendix 9**
- 4.3 **Hearsay Evidence**
  - 4.3.1 The Panel may accept hearsay evidence and it will be a matter for the Panel to attach what weight to it that they consider appropriate. Hearsay evidence is evidence of something that a witness neither saw nor heard, but has heard or read about.
- 4.4 **The Secretary of State's Guidance to the Licensing Act 2003**
  - 4.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided for all parties involved in licensing. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.
  - 4.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.
  - 4.4.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.
- 4.5 **Manchester Statement of Licensing Policy**
  - 4.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' its statement of licensing policy.

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

***Section 5: Special Policy Area***

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:

	<b>Closing time</b>	<b>Approach</b>
<b>Non-alcohol led venues (excluding hot food takeaways)</b>	Up to Midnight	Strongly encouraged provided that they do not harm the licensing objectives.
<b>Non-alcohol led venues (excluding hot food takeaways)</b>	Beyond midnight	Discouraged, unless strict compliance with set criteria can be shown.  Positive proposals for the promotion of the licensing objectives from departing customers must also be demonstrated in the operating schedule.

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

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

### ***Section 6: What we aim to encourage***

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

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

### ***Section 7: Local factors***

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

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

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

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

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

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

#### ***Section 9: Alcohol delivery services***

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

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

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

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

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

#### ***Section 12: Premises Licences for large-scale public events***

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

## **5. Conclusion**

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

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

- 5.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council's licensing policy statement.
- 5.3 Having regard to the representations, the Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to:
    - i. the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate, and
    - ii. any mandatory conditions that must be included in the licence;
  - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
  - c) To refuse to specify the person proposed in the application as the designated premises supervisor;
  - d) To reject the application.
- 5.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 5.5 All licensing determinations should be considered on the individual merits of the application.
- 5.6 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 5.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 5.8 **The Panel is asked to determine the application.**





International Mini Market  
455-457 Wilmslow Road, Manchester, M20 9AN

Premises Licensing  
Manchester City Council

© Crown copyright and database rights 2018. Ordnance  
Survey100019568.



<b>PREMISE NAME:</b>	International Mini Market
<b>PREMISE ADDRESS:</b>	455-457 Wilmslow Road, Manchester, M20 9AN
<b>WARD:</b>	Withington
<b>HEARING DATE:</b>	08/02/2021

**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.

We, **Middle East Grocery Ltd**

*(Insert name(s) of applicant)*

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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description			
<b>International Mini Market 455-457 Wilmslow Road</b>			
<b>Post town</b>	<b>MANCHESTER</b>	<b>Postcode</b>	<b>M20 9AN</b>
Telephone number at premises (if any)		[REDACTED]	
Non-domestic rateable value of premises		<b>£23,750</b>	

**Part 2 - Applicant details**

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

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

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

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

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

#### (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.**

<b>Name</b> Middle East Grocery Limited
<b>Address</b> 61 Manchester Road Chorlton Cum Hardy MANCHESTER M21 9PW
<b>Registered number (where applicable)</b> 12614390
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b> Private Limited Company
<b>Telephone number (if any)</b> [REDACTED]
<b>E-mail address (optional)</b> [REDACTED]

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
1	6	01 2021

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

DD	MM	YYYY

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

This is a pre-existing Convenience Store. We would like to obtain an Off-Licence in order to add to our offering, and have proposed a comprehensive raft of Conditions to ensure that we promote and support the Licensing Objectives in their entirety.

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

n/a

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

**Provision of late night refreshment** (if ticking yes, fill in box I) **Supply of alcohol** (if ticking yes, fill in box J) **In all cases complete boxes K, L and M**

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	10:00	23:00			
Tue	10:00	23:00			
Wed	10:00	23:00			
Thur	10:00	23:00			
Fri	10:00	23:00			
Sat	10:00	23:00			
Sun	10:00	23:00			

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

<b>Name:</b> Sirwan Rasoul Kader	
<b>Date of birth:</b> [REDACTED]	
<b>Address</b> [REDACTED]	
<b>Postcode</b> [REDACTED]	
<b>Personal licence number (if known)</b> PA2603	
<b>Issuing licensing authority (if known)</b> Wakefield Metropolitan Borough Council	

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	07:00	24:00	
Tue	07:00	24:00	
Wed	07:00	24:00	
Thur	07:00	24:00	
Fri	07:00	24:00	
Sat	07:00	24:00	
Sun	07:00	24:00	
			<b>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</b> (please read guidance note 6)

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

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

In making this application, we have taken into account the Guidance issued under the Licensing Act 2003 Model Conditions and the Licensing Policy of Manchester City Council. The previous Premises Licence expired in August 2019 due to the then licence holder becoming insolvent. This application is a precise mirror of that earlier Premises Licence, both in terms and conditions. We are asking for nothing more than the restoration of a Premises Licence in the form that Manchester City Council and the Responsible Authorities were content to grant in June 2018. As a consequence of all this, we are applying effective conditions in order to promote the Licensing Objectives.

**b) The prevention of crime and disorder**

1. The Premises Licence Holder shall arrange for a crime prevention audit to be conducted by Greater Manchester Police, or independent company approved by the licensing authority, and the recommendations of the audit shall be implemented within three months.
2. All staff shall be briefed and be made aware of their responsibilities and relevant company operating procedures before they commence paid duty at the premises.
3. The Premises Licence Holder and/or Designated Premises Supervisor (DPS) shall carry out reviews of security incidents at the premises. Such reviews shall be documented and conducted at least quarterly and include details of any remedial action identified and implemented. Copies of the security review shall be made available upon inspection by a Responsible Authority, police officer, or authorised officer.
4. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the police or an authorised officer of the licensing authority, which shall record the following incidents, including pertinent details:
  - i. all crimes reported to the venue, or by the venue, to the police:
  - ii. all ejections of patrons:
  - iii. any complaints received;
  - iv. any incidents of disorder;
  - v. seizures of drugs, offensive weapons, fraudulent ID or other items:
  - vi. any faults in the CCTV system:
  - vii. any refusal of the sale of alcohol:
  - viii. any visit a relevant authority or emergency service:
  - ix. the times on duty, names and licence numbers of all door supervisors that may be employed by the premises.
5. No super-strength beer, lager or ciders (including perries) of 6.5% ABV (alcohol by volume) or above shall be sold at the premises.
6. Any promotional activity shall comply with the most current Portman Group ‘Code of Practice on the Rules for Naming, Packaging and Promotion of alcoholic drinks.’
7. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the street environment shall be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continuously record while 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 shall 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 that 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.
8. The position of CCTV cameras at the premises shall be to the satisfaction of Greater Manchester Police and a plan showing the cameras shall be provided for the licensing authority and Greater Manchester Police.



9. A TV monitor shall be positioned at the entrance/exit to the premises, showing live footage of persons entering and leaving.
10. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
11. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to verify their identity against the record.

**c) Public safety**

12. All fire-fighting equipment shall be inspected and serviced in line with the appropriate British Standard.
13. A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open. This telephone number shall be made available to residents in the vicinity.

**d) The prevention of public nuisance**

14. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
15. Outside the hours authorised for the sale of alcohol, all alcohol within the trading area shall be secured behind grills, screens or cabinet doors to prevent access to the alcohol by customers or staff.

**e) The protection of children from harm**

16. The Challenge 25 scheme shall be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photocard driving licence, an HM Forces warrant card, or a card bearing the PASS hologram.
17. The premises shall display prominent signage indicating at any point of sale and at the entrance to the premises and in all areas where alcohol is located that the Challenge 25 scheme is in operation.
18. A log shall be kept at the premises to record all refused sales of alcohol for the reasons that person(s) is/are, or appear(s) to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log shall be available on request by the police or an authorised officer of Manchester City Council.
19. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.
20. There shall be a policy for the premises (agreed with Greater Manchester Police) on the handling of fraudulent identification used to attempt to purchase alcohol or gain entry to the premises.
21. The premises shall display prominent signage indicating at any point of sale and at the entrance to the premises and in all areas where alcohol is located that it is an offence to buy or attempt to buy alcohol for a person under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.
22. In addition to any other training, the Premises Licence Holder shall ensure that all staff are trained to prevent underage sales, are aware of and prevent proxy sales, maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate, and that they monitor staff to ensure their training is put into practice.
23. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.

**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).

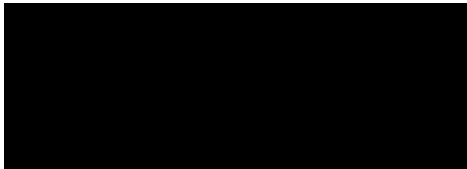




**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[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).</li> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	
Date	16/12/20
Capacity	Licensing Consultant & Agent

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

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

**GMP**

## GREATER MANCHESTER POLICE - REPRESENTATION

### About You

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

### About the Premises

Application Reference No.	LPA 254479
Name of the Premises	<b>International Mini Market</b>
Address of the premises including postcode	<b>455-459 Wilmslow Road, Manchester M20 4AN</b>

### Your Representation

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

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

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

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

There is therefore a strong presumption against applications for off licenses 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.

Given that the premises are seeking to provide what several other premises in Withington already provide, this application is standard and in GMP's opinion is in no way genuinely exceptional.

Greater Manchester Police see no valid reason for the committee to depart from their own Stress Policy in this instance and would therefore ask that the application is refused.

LOOH


**MANCHESTER**  
**CITY COUNCIL**

n

**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	254479
Name of Premises	International Mini Market
Address	455-457 Wilmslow Road, Manchester, M20 9AN

Representation
Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.
<p>The Licensing and Out of Hours Team (LOOHT) have assessed the likely impact of the 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><b>“Special policy in respect of Withington Stress Area</b></p> <p><b>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</b></p> <p><b>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</b></p> <p><b>5.18 Therefore the Council has adopted a Special Policy for the area, which shall be known as the Withington Stress Area”</b></p> <p><b>A review of the application I can not see a genuinely exceptional case has been shown by the applicant therefor the LOOH team will request that this application is refused.</b></p>
Recommendation:
Refuse Application

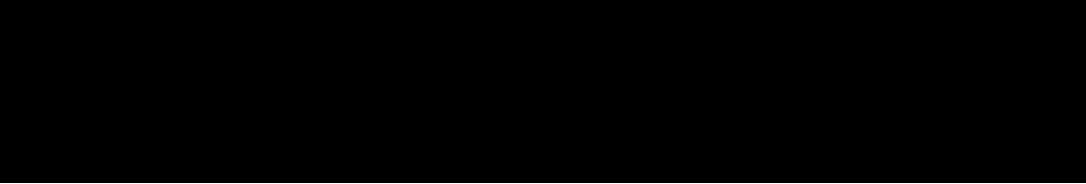


**CLLR**

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

Sent: 04 January 2021 10:54

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



Subject: RE: Premises Licence (new) 254479/LH6: International Mini Market, 455-459 Wilmslow Road, Manchester, M20 4AN, (Withington ward)

Dear Lauren

Many thanks for emailing details of this licensing application. I have spoken with my ward colleagues in Withington, and in the neighbouring ward of Old Moat, as Withington Village straddles both wards.

Whilst we have no objection to the proposed licensed hours, as these are consistent with those previously granted, we are concerned about the business itself. Recently a lot of mess was created in Egerton Crescent car park as a result of refurbishment work, and Neighbourhood Officers had to intervene to ensure that this was cleared away. There is therefore concern regarding prevention of public nuisance, and prevention of crime and disorder.

There is currently a major drive to improve Withington Village. A Draft Framework is currently out for consultation, and its ambitions are driven by both local residents and local businesses. We need to know that the premises owners will play their part in this, and not allow the premises to become a cause of litter and antisocial behaviour, thereby hampering the good work being done. In particular, Egerton Crescent car park has experienced numerous problems regarding litter and fly-tipping. We want a commitment from the premises owners to help keep this area free of litter.

Kind regards.

Chris

Councillor Chris Wills

Labour & Co-operative Member, Withington Ward

Lead Member for LGBT+ Men

Tel: 07970 395030

## **Withington Civic Society**

International Mini Market, 455-459 Wilmslow Road. M20 4AN

Premises Licence Application

Reference 25479/LH6

### **Response on behalf of Withington Civic Society Planning Group**

1. Withington Civic Society Planning Group **opposes the 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."***



## **Fallowfield Community Gardens**

From: [REDACTED]

Sent: 12 January 2021 21:34

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

Cc: [REDACTED]  
[REDACTED]

Subject: Premises Licence (new) 254479/LH6: International Mini Market, 455-459 Wilmslow Road, Manchester, M20 4AN, (Withington ward)

Dear Sirs

I write on behalf of Fallowfield & Withington Community Guardians. We wish to object to this new license application at 455-457 Wilmslow Road.

The Withington Stress Licensing Policy was adopted by MCC in 2013. ([https://www.manchester.gov.uk/downloads/download/1905/premises\\_licensing\\_policy\\_2011\\_-\\_2016](https://www.manchester.gov.uk/downloads/download/1905/premises_licensing_policy_2011_-_2016) Withington Stress Policy page 30) . This policy states that for off licences there should be a strong presumption against a licence (page 30). A genuinely exceptional case would need to be shown. Whilst there are a long list of proposed conditions we do not see this as an exceptional case. It is another source of alcohol and will add to the significant problems of anti-social behaviour that exist. The Stress Policy is in place for a good reason.

Withington village is covered by a special stress zone licensing policy because of concerns by residents about 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 because Fallowfield has a cumulative impact policy, alcohol outlets would move further south to nearby Withington causing similar problems to arise there.

Withington already has a number of licensed premises selling alcohol including The Victoria, The Albert, Taco & Tequila, Fuel and Indigo Bar which have late night licenses and other off licenses including Boozy Buster and G&T Off License. There are also two supermarkets (Sainsbury's Local and Co-op) where alcohol can be purchased.

Preventing Public Nuisance & Crime & Disorder

Off licences and convenience stores selling alcohol often cause problems in residential areas, attracting custom for alcohol dependent people and beggars who can be aggressive and increase crime and disorder. In 2017 there was a serious incident at G&T off licence

where a woman was raped and beaten by a shopkeeper after going into a Withington off licence to charge her mobile phone.

<https://www.manchestereveningnews.co.uk/news/greater-manchester-news/rape-withington-court-case-jailed-13886346>

Withington has quite a long standing problem with street drinkers and beggars hanging around off licence premises, benches and bus shelters which is often intimidating for shoppers. Another source of alcohol will act as a magnet especially as there are many homeless and supported people being housed in the nearby Ram, Lansdowne and Fallowfield Lodge Hotels who have been accommodated in large numbers for several years but more so since the start of the pandemic. Residents in our group have been experiencing a lot of problems including street drinking, drug dealing, burglaries and drunken and aggressive behaviour from some of these residents. These temporary residents are often on Wilmslow Road with alcohol which they purchase from local off licences.. A convenience store selling alcohol is likely to attract such customers.

Another off license is highly likely to increase on street drinking of alcohol for those wanting to pre drink before entering local bars. This helps reduce cost of a night out by drinking beforehand to avoid higher bar prices. There is particular concern with this location because it is next door to Indigo Bar which has many student event nights. In January last year, two students were stabbed inside the bar in a serious attack

<https://www.manchestereveningnews.co.uk/news/greater-manchester-news/milo-lyndsay-withington-manchester-court-19462376.amp> There are often groups of young people outside Indigo and opposite at Fuel. Having an off licence in such close proximity to both bars would make street preloading drinking very accessible for patrons.

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.

An interactive map 2018/19 data within this article <https://wonkhe.com/blogs/the-start-of-term-is-not-just-a-problem-for-universities/> shows that approximately 11 195 students live in the M14 6 postcode whilst a further 1105 +1700 live in the M20 3 and M20 4 postcodes. This suggests around 3000 students live within a short walk of Withington village in the M20 postcodes and a further 11000+ just a few minutes walk away in the M14 6 postcode just a bit north of Withington village. This demography with a high concentration of young people is very different from most other residential suburbs. Many young people pre-load alcohol in their homes first or buy alcohol en route which is drunk on the way to late night bars or buy alcohol to take to house parties in residential streets.. Noisy groups going to and from their homes to bars at 11pm-midnight create disturbances and then they return in the early hours and create more noise.

There are often groups of people on the narrow pavements, drinking outside the premises that are open. Alcohol is the fuel for much anti social behaviour and it is felt that opening another off license will undermine the licensing objectives for public safety, public nuisance

and increase crime and disorder. Early morning alcohol sales from 10am are likely to increase alcohol related anti social behaviour in Withington village.

Adding another off license to Withington high street is 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 from becoming a more noisy drinking destination. There is a presumption for refusal of any new off licence provision in the Withington Stress Policy. We do not see this as an exceptional case despite the long list of proposed conditions. It is just another source of alcohol and is bound to add to the cumulative problems of litter, crime and disorder and public nuisance which disturb residents, thus undermining the licensing objectives.

Yours

██████

██

SE Fallowfield & Withington

**Res 1**

Sent: 14 January 2021 22:48

To: premises.licensing@manchester.gov.uk

Cc: [REDACTED]

Subject: Premises Licence (new) 254479/LH6: International Mini Market, 455-459 Wilmslow Road, Manchester, M20 4AN, (Withington ward)

Dear Sirs

As a resident of [REDACTED] I am writing to register my objection to this new licence application.

Withington (village) is protected by a specific stress zone policy adopted to alleviate concerns by residents about continued problems of anti-social behaviour which have spread from Fallowfield as a result of a significant number of pubs, bars, off licences and take-aways predominantly with late licences. The issues in Fallowfield have resulted in a cumulative impact policy designed to limit further outlets and my concern is that there will be an attempt to move similar outlets to simply move South along Wilmslow Road bringing with them similar problems to Withington.

Withington already has a plethora of licensed premises selling alcohol including Sainsbury's & the Co-Op as well as the Victoria, the Albert, Taco & Taquila, Indigo and off licences including Boozy Buster and G&T off license, I would have thought the loss of the existing licence for the now bankrupt Mini Market should be regarded as an opportunity to reinforce the intentions of the stress policy by reducing the number of alcohol outlets.

In short Refusal of this application would:

Complement the prevention of public nuisance and disorder.

Reduce the opportunity for street drinking by those wanting pre-drink top ups before entering local bars.

In recent times there has been a huge increase in the number of street beggars and drinkers, many being housed in local "hotels". Many of us local have witnessed and experienced problems including drug dealing, drunken and aggressive behaviour from some of these people. Another potentially low cost convenience store is likely to aggravate the position.

The huge number of students resident in and visiting our neighbourhood is a significant contribution to night time noise and disturbance both in Withington Village and local densely populated residential streets.

I cannot see how an exceptional case can be made for this application as would be required by the Withington Stress Policy and it should be rejected.

Yours sincerely

[REDACTED]

## SE Fallowfield Residents Group

From: [REDACTED]

Sent: 14 January 2021 21:14

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

Subject: New Licence Application - International Mini Market, 455-459 Wilmslow Road, M20 4AN. Reference 254479/LH6

Dear Sir/Madam,

I am writing on behalf of South East Fallowfield Residents Group to object to the grant of a new licence at the International Mini Market, 455-459 Wilmslow Road, Manchester, M20 4AN - reference 254479/LH6.

These premises are in Withington Village which is subject to a special licensing policy; the stress policy. This measure (together with Fallowfield's CIP) was introduced in 2013 because of the very particular problems arising from licensed premises along this part of Wilmslow Road and up towards Fallowfield and the fact that more licensed premises would be likely to have a further negative impact on the licensing objectives. The policy therefore means that there is a 'strong presumption' against the granting of any new licences unless the applicant can show in their operating schedule that theirs is a 'genuinely exceptional case' which would justify departing from the policy.

Having read the applicant's conditions, we do not think there is anything which suggests that this is a 'genuinely exceptional case' and we would like to highlight the following concerns;

Withington has a significant problem with rough sleepers and we, very sadly, often see people begging in the village. Many of the homeless suffer from alcohol addiction and adding an off licence facility to this convenience store will not help this problem. Moreover Wilmslow Road is particularly narrow at this point and it is often quite intimidating for local people (including the elderly and children) to walk along this stretch when there are people begging. Since the pandemic, many former rough sleepers have also been housed at three hotels on Wilmslow Road which are just a short walk from this store and local residents have reported an escalation in ASB including on street drinking, burglary/theft, drug dealing and aggressive begging. Again, another alcohol outlet will only attract more problems and cannot be justified.

Withington is a residential area but there are also large numbers of student HMOs. Students tend to use local off licences to 'pre-load' before they go out for the evening, or they will stop off on their way home to stock up. Local residents are often disturbed by the noise of groups



of drunk students on their way to and from a night out and alcohol bottles and cans are regularly discarded on the pavements, or thrown into people's front gardens. It is very depressing to have to deal with the constant battle against litter and it is sometimes quite hard to avoid broken glass which poses a particular hazard to people with very young children and pets. Adding yet another off licence to the area will not help achieve the licensing objectives and will make any regeneration of the village harder to achieve. We know from previous experience, that local convenience stores, which also stock alcohol, have posed problems and we do not think there are any benefits to be gained from granting a new licence here.

Finally we would like to emphasise that the council took the highly unusual step of adopting special licensing policies in Withington and Fallowfield because of the well documented ASB issues in our area however, we are beginning to see some really promising green shoots in Withington - new families have been moving into the area and the high street in Withington is starting to attract a reasonable array of shops. This diversity on the high street is good for everyone and we think it helps foster a supportive, happy and cohesive community. We know this renaissance is fragile, especially in light of the pandemic, and keeping a watchful eye on the numbers of licensed premises and their operating hours is really important, we therefore urge you to reject the licence application in full.

Yours faithfully,

██████████  
██████████

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

## Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> <li>1. The Premises Licence Holder shall arrange for a crime prevention audit to be conducted by Greater Manchester Police, or independent company approved by the licensing authority, and the recommendations of the audit shall be implemented within three months.</li> <li>2. All staff shall be briefed and be made aware of their responsibilities and relevant company operating procedures before they commence paid duty at the premises.</li> <li>3. The Premises Licence Holder and/or Designated Premises Supervisor (DPS) shall carry out reviews of security incidents at the premises. Such reviews shall be documented and conducted at least quarterly and include details of any remedial action identified and implemented. Copies of the security review shall be made available upon inspection by a Responsible Authority, police officer, or authorised officer.</li> <li>4. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the police or an authorised officer of the licensing authority, which shall record the following incidents, including pertinent details: i. all crimes reported to the venue, or by the venue, to the police: ii. all ejections of patrons: iii. any complaints received; iv. any incidents of disorder; v. seizures of drugs, offensive weapons, fraudulent ID or other items: vi. any faults in the CCTV system: vii. any refusal of the sale of alcohol: viii. any visit a relevant authority or emergency service: ix. the times on duty, names and licence numbers of all door supervisors that may be employed by the premises.</li> <li>5. No super-strength beer, lager or ciders (including perries) of 6.5% ABV (alcohol by volume) or above shall be sold at the premises.</li> <li>6. Any promotional activity shall comply with the most current Portman Group 'Code of Practice on the Rules for Naming, Packaging and Promotion of alcoholic drinks.'</li> <li>7. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the street environment shall be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continuously record while the premises are open to the public and recording shall be kept available and unedited for a</li> </ol>	N/A	Applicant

## Schedule of Licence Conditions

<p>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 shall 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 that 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.</p> <p>8. The position of CCTV cameras at the premises shall be to the satisfaction of Greater Manchester Police and a plan showing the cameras shall be provided for the licensing authority and Greater Manchester Police.</p> <p>9. A TV monitor shall be positioned at the entrance/exit to the premises, showing live footage of persons entering and leaving.</p> <p>10. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.</p> <p>11. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to verify their identity against the record.</p> <p>12. All fire-fighting equipment shall be inspected and serviced in line with the appropriate British Standard.</p> <p>13. A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open. This telephone number shall be made available to residents in the vicinity.</p> <p>14. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.</p> <p>15. Outside the hours authorised for the sale of alcohol, all alcohol within the trading area shall be secured behind grills, screens or cabinet doors to prevent access to the alcohol by customers or staff.</p> <p>16. The Challenge 25 scheme shall be operated to ensure that any person who appears to be under the age of 25 shall provide</p>		
---	--	--

## Schedule of Licence Conditions

<p>documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photocard driving licence, an HM Forces warrant card, or a card bearing the PASS hologram.</p> <p>17. The premises shall display prominent signage indicating at any point of sale and at the entrance to the premises and in all areas where alcohol is located that the Challenge 25 scheme is in operation.</p> <p>18. A log shall be kept at the premises to record all refused sales of alcohol for the reasons that person(s) is/are, or appear(s) to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log shall be available on request by the police or an authorised officer of Manchester City Council.</p> <p>19. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.</p> <p>20. There shall be a policy for the premises (agreed with Greater Manchester Police) on the handling of fraudulent identification used to attempt to purchase alcohol or gain entry to the premises.</p> <p>21. The premises shall display prominent signage indicating at any point of sale and at the entrance to the premises and in all areas where alcohol is located that it is an offence to buy or attempt to buy alcohol for a person under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.</p> <p>22. In addition to any other training, the Premises Licence Holder shall ensure that all staff are trained to prevent underage sales, are aware of and prevent proxy sales, maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate, and that they monitor staff to ensure their training is put into practice.</p> <p>23. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.</p>		

This page is intentionally left blank





**BRIEFING PAPER**

Number 07269, 16 April 2019

# Alcohol licensing: cumulative impact assessments

By John Woodhouse

**Inside:**

1. The Licensing Act and cumulative impact
2. Cumulative impact assessments
3. Evaluation



# Contents

<b>Summary</b>	<b>3</b>
<b>1. The Licensing Act and cumulative impact</b>	<b>4</b>
<b>2. Cumulative impact assessments</b>	<b>6</b>
<b>3. Evaluation</b>	<b>9</b>

## Summary

Under the *Licensing Act 2003*, responsibility for alcohol licensing in England and Wales rests with local authorities. This includes the issuing of [premises licences](#) and [club premises certificates](#). The Act has four licensing objectives:

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

Section 5 of the Act requires a licensing authority to publish a statement of its licensing policy at least every five years. A policy must take into account any cumulative impact assessment (CIA) an authority has published under section 5A of the Act. The aim of a CIA is to limit the growth of licensed premises where the promotion of the licensing objectives is being compromised.

CIAs did not have a statutory basis until 6 April 2018 when [section 141](#) of the *Policing and Crime Act 2017* came into force and amended the 2003 Act. Until that date, “cumulative impact” and cumulative impact *policies* (CIPs) were only described in Home Office guidance on the Licensing Act.

According to the Government, giving CIAs a statutory basis will “provide greater clarity and legal certainty about their use”.

Detailed information on statements of licensing policy and CIAs is available in chapter 14 of Home Office [guidance](#) (April 2018).

The Gov.UK website gives an overview of [alcohol licensing](#) in England and Wales.

# 1. The Licensing Act and cumulative impact

Section 141 of the *Policing and Crime Act 2017* came into force on 6 April 2018 and gave cumulative impact assessments (CIAs) a statutory basis in the *Licensing Act 2003*. Until that date, cumulative impact policies (CIPs) were only described in Home Office guidance on the 2003 Act. The guidance issued in March 2015 described cumulative impact as “the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.”<sup>1</sup>

[Section 5](#) and [section 5A](#) of the 2003 Act (as amended by the 2017 Act) now refer to CIAs.

## Why was the 2003 Act amended?

The Home Office’s [Modern Crime Prevention Strategy](#) (March 2016) included a range of measures to prevent alcohol-related crime and disorder.<sup>2</sup> One of these was to put CIPs “on a statutory footing, to strengthen the ability of authorities to control the availability of alcohol and reduce alcohol-related crime and disorder, as well as providing industry with greater clarity about how they can be used”.<sup>3</sup>

A November 2016 Home Office [Impact Assessment](#) said that the system at that time could, among other things, lead to disproportionate restrictions on new business:

(...) Under the present arrangements CIPs can be implemented on relatively weak grounds and remain in place for a number of years based on limited or outdated evidence. This can lead to disproportionate restrictions on new business and potentially an associated impact on communities where a CIP places restrictions on new leisure venues in town centres where this is not necessarily appropriate. Conversely, it could lead to a failure of CIPs to stand up to scrutiny and effectively prevent the escalation of problems caused by cumulative impact. This can mean that the public are left unsure about the level of protection offered by CIPs in their area. We are also aware that some LAs feel unclear about their role as a responsible authority when making decisions in CIP areas, in particular where the evidence base is weak.<sup>4</sup>

According to the Impact Assessment, licensing and enforcement partners welcomed the Government’s proposal. Most industry partners were “not opposed in principle” but “wanted to use the opportunity to ensure clarity on the process and function of CIPs and transparency over the evidence used to implement CIPs”.<sup>5</sup>

<sup>1</sup> Home Office, [Amended guidance issued under section 182 of the Licensing Act 2003](#), March 2015, para 13.20

<sup>2</sup> Home Office, [Modern Crime Prevention Strategy](#), March 2016, chapter 7

<sup>3</sup> Ibid, p36

<sup>4</sup> Home Office, [Impact Assessment on putting cumulative impact strategies on a statutory footing](#), November 2016, p8

<sup>5</sup> Ibid, p7

## 5 Licensing: cumulative impact assessments

When introducing the changes through the *Policing and Crime Bill 2016/17*, the Government said that CIPs needed reform because not all licensing authorities were making effective or consistent use of them:

(...) CIPs help licensing authorities to limit the number or type of licence applications granted in areas where the number of licensed premises is causing problems. Such problems typically include crime and disorder or public nuisance caused by large numbers of drinkers being concentrated in one area. The CIP scheme is set out in the guidance issued under Section 182 of the Licensing Act 2003... However, they have no statutory basis and not all licensing authorities are making effective or consistent use of them. The licensed trade also has concerns about the transparency of the process for putting a CIP in place and the quality of evidence used as the basis for some. Putting CIPs on a statutory footing will provide greater clarity and legal certainty about their use...<sup>6</sup>

---

<sup>6</sup> Baroness Chisholm of Owlpen at [HL Deb 9 November 2016 c1192](#)



## 2. Cumulative impact assessments

Chapter 14 of the Home Office's [guidance](#) (revised April 2018) on the Licensing Act covers statements of licensing policy and CIAs.<sup>7</sup> The guidance gives some examples of how cumulative impact can impact on the licensing objectives:

14.21 In some areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.

14.22 Queuing in itself may lead to conflict, disorder and anti-social behaviour. Moreover, large concentrations of people may also attract criminal activities such as drug dealing, pick pocketing and street robbery. Local services such as public transport, public lavatory provision and street cleaning may not be able to meet the demand posed by such concentrations of drinkers leading to issues such as street fouling, littering, traffic and public nuisance caused by concentrations of people who cannot be effectively dispersed quickly.

14.23 Variable licensing hours may facilitate a more gradual dispersal of customers from premises. However, in some cases, the impact on surrounding areas of the behaviour of the customers of all premises taken together will be greater than the impact of customers of individual premises. These conditions are more likely to arise in town and city centres, but may also arise in other urban centres and the suburbs, for example on smaller high streets with high concentrations of licensed premises.

A licensing authority must publish a statement of its licensing policy at least every five years. Before determining its policy, an authority must consult the persons listed in section 5(3) of the 2003 Act:

- the chief officer of police for the area;
- the fire and rescue authority for the area;
- each local authority's Director of Public Health in England or Local Health Board in Wales;
- persons/bodies representative of local premises licence holders;
- persons/bodies representative of local club premises certificate holders;
- persons/bodies representative of local personal licence holders; and
- persons/bodies representative of businesses and residents in its area.

In determining or revising its policy, an authority must consider any CIAs it has published by under the Act.

---

<sup>7</sup> Home Office, [Amended guidance issued under section 182 of the Licensing Act 2003](#), April 2018, para 14.20

## 7 Licensing: cumulative impact assessments

### Publishing a CIA

A licensing authority can publish a CIA to help limit the number or types of licence applications granted where there is evidence showing that the number or density of premises in an area is having a cumulative impact and leading to problems which are undermining the licensing objectives.

Section 5A of the 2003 Act sets out what a licensing authority needs to do in order to publish a CIA. This includes consulting the persons listed in section 5(3) of the Act (see above).

#### Evidence of cumulative impact

There must be an evidential basis for the decision to publish a CIA. Information which licensing authorities can use includes:

- local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;
- statistics on local anti-social behaviour offences;
- health-related statistics such as alcohol-related emergency attendances and hospital admissions;
- environmental health complaints, particularly in relation to litter and noise;
- complaints recorded by the local authority, which may include complaints raised by local residents or residents' associations;
- residents' questionnaires;
- evidence from local and parish councillors; and
- evidence obtained through local consultation.<sup>8</sup>

In addition to the above, a licensing authority may consider its own evidence of the impact of licensable activities within its area.

#### Effect of CIAs

According to the Home Office guidance, a CIA is a "strong statement of intent" about an authority's approach to licence applications.<sup>9</sup> A CIA will explain that it is likely that granting further premises and/or club premises certificates in an area would be inconsistent with an authority's duty to promote the licensing objectives.<sup>10</sup>

However, the publication of a CIA does not change the way that licensing decisions are made: applications for new licences or variations to existing licences must still be considered on an individual basis. Applications that are unlikely to add to the cumulative impact on the licensing objectives should be granted.<sup>11</sup> The Home Office guidance explains:

14.28 While the evidence underpinning the publication of a CIA should generally be suitable as the basis for a decision to refuse

<sup>8</sup> Home Office guidance, April 2018, para 14.29

<sup>9</sup> Ibid, para 14.40

<sup>10</sup> Ibid, para 14.39

<sup>11</sup> Ibid, para 14.40, 14.44; see also paras 14.45 and 14.46

an application or impose conditions, it does not change the fundamental way that decisions are made under the 2003 Act. Each decision in an area subject to a CIA therefore still needs to be made on a case-by-case basis and with a view to what is appropriate for the promotion of the licensing objectives. Importantly, the publication of a CIA would not remove a licensing authority's discretion to grant applications for new licences or applications to vary existing licences, where the authority considers this to be appropriate in the light of the individual circumstances of the case.

### **Reviewing CIAs**

A licensing authority must review a CIA within three years. In doing so, it must consult with the persons listed in section 5(3) of the 2003 Act. If, after consultation, an authority no longer holds the opinion set out in the CIA, it must publish a statement making clear that any reference to the CIA in its licensing policy statement no longer applies. Reference to the CIA within the licensing policy statement should be removed at the earliest opportunity.<sup>12</sup>

If an authority's opinion remains as set out in a CIA, it must revise the CIA setting out why this is the case.<sup>13</sup>

---

<sup>12</sup> Ibid, para 14.35

<sup>13</sup> Ibid, para 14.36



### 3. Evaluation

The London Borough of Islington introduced a CIP in 2013. A March 2017 [report](#) by the School for Public Health at the London School of Hygiene and Tropical Medicine found that the CIP had been “broadly effective”:

The results of the evaluation show that the Licencing Strategy overall, and the Cumulative Impact Policy specifically, have been broadly effective. The implementation of the strategy has met the objectives of reducing crime, anti-social behaviour and alcohol-related ambulance call outs, reducing the rate of successful applications for off-licences, reducing the average weekly trading times of alcohol licences granted.

Concurrently, three years after CIP introduction there have actually been increases in rates of alcohol licences granted overall. There also appears to be little or no impact on alcohol retail sales volume and sales revenues since 2013.

This evaluation appears to show that the London Borough of Islington’s Licencing Strategy and the CIP have reduced alcohol related harms without negatively impacting on the overall night-time economy in Islington and the ability of alcohol retailers to operate if they meet the conditions required.<sup>14</sup>

The School’s [webpage](#) gives links to other research on CIPs.

---

<sup>14</sup> Karen Lock et al, [Evaluating the impact of a Cumulative Impact Zone Policy to reduce alcohol-related harms in Islington Local Authority](#)”, London School of Hygiene and Tropical Medicine, March 2017, p3

### About the Library

The House of Commons Library research service provides MPs and their staff with the impartial briefing and evidence base they need to do their work in scrutinising Government, proposing legislation, and supporting constituents.

As well as providing MPs with a confidential service we publish open briefing papers, which are available on the Parliament website.

Every effort is made to ensure that the information contained in these publically available research briefings is correct at the time of publication. Readers should be aware however that briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

If you have any comments on our briefings please email [papers@parliament.uk](mailto:papers@parliament.uk). Authors are available to discuss the content of this briefing only with Members and their staff.

If you have any general questions about the work of the House of Commons you can email [hcinfo@parliament.uk](mailto:hcinfo@parliament.uk).

### Disclaimer

This information is provided to Members of Parliament in support of their parliamentary duties. It is a general briefing only and should not be relied on as a substitute for specific advice. The House of Commons or the author(s) shall not be liable for any errors or omissions, or for any loss or damage of any kind arising from its use, and may remove, vary or amend any information at any time without prior notice.

The House of Commons accepts no responsibility for any references or links to, or the content of, information maintained by third parties. This information is provided subject to the [Conditions of the Open Parliament Licence](#).

# Crime changes over time in Manchester and in the Greater Manchester force area

In the quarter ending June 2020, crime rates were:

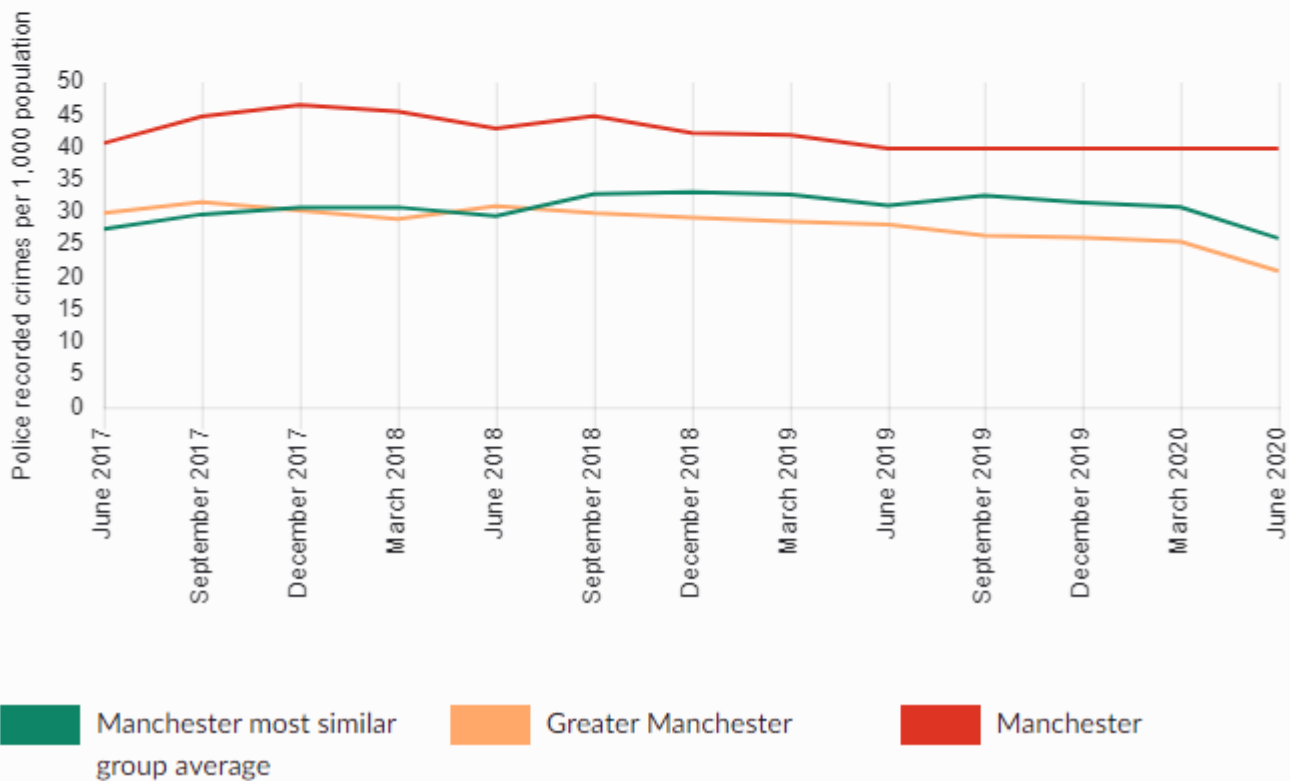
- about the same in Manchester
- down in the Greater Manchester force area

compared with the corresponding quarter in 2019.

Edit crime type

All Crime ▼

Update



This page is intentionally left blank

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

Sent: 15 January 2021 15:25

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

Cc: [REDACTED]  
[REDACTED]

Subject: Re: Acknowledgement of objection to premises licence application 254479LH6:  
International Mini Market, 455-457 Wilmslow Road, Manchester, M20 9AN - WHAT HAPPENS NEXT.



Hi Lauren

I'd like to alter the nature of my objection. I do not believe that the owners are responsible to hold a licence, as they are continuing to create a lot of mess in Egerton Crescent car park. Numerous local residents have complained about this - that car park suffers from chronic waste and fly-tipping issues as it is - and I have asked our Neighbourhoods team to get Compliance involved. A recent photo is attached.

I appreciate the deadline for comments was yesterday, however I would like this to be taken into consideration and the application refused.

Many thanks.

Chris

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank



From: [REDACTED]

Sent: 27 January 2021 14:16

To: Chris Wills <cllr.chris.wills@manchester.gov.uk>; [REDACTED]  
[REDACTED] alan.isherwood  
<alan.isherwood@gmp.police.uk>; Rhiannon Owen <rhiannon.owen@manchester.gov.uk>;  
[REDACTED]

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

Subject: Forthcoming Hearing Re: 254479LH6: Premises Licence (new) International Mini  
Market,455-457 Wilmslow Road, Manchester, M20 9AN



## Crime changes over time in Manchester and in the Greater Manchester force area

In the quarter ending June 2020, crime rates were:

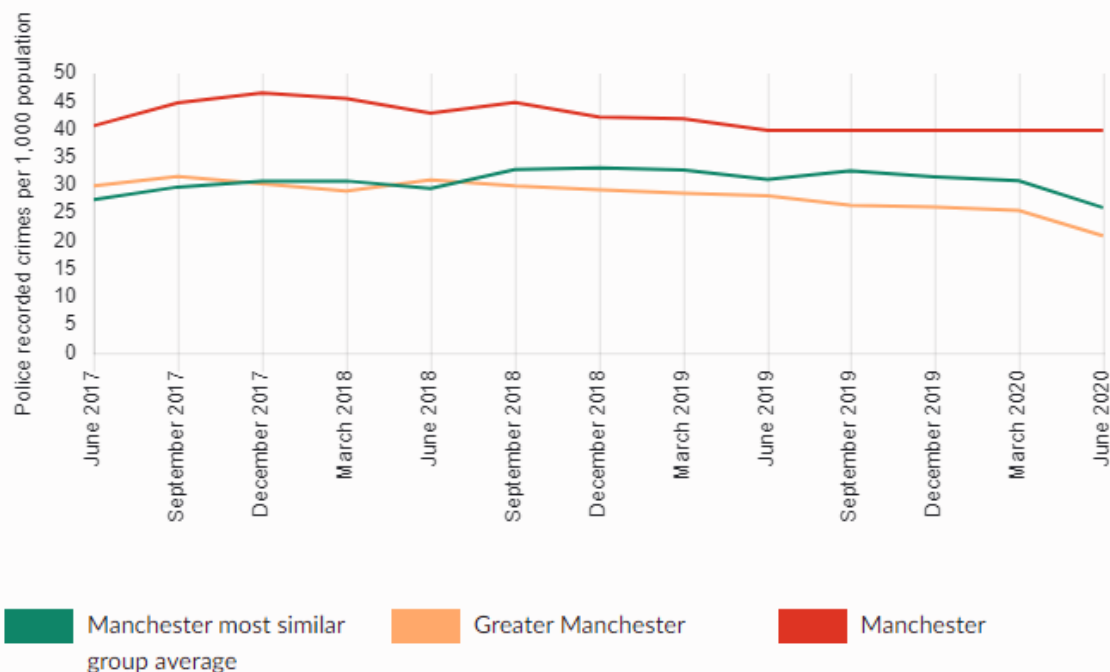
- about the same in Manchester
- down in the Greater Manchester force area

compared with the corresponding quarter in 2019.

Edit crime type

All Crime

Update



Dear All,

We represent the International Mini Market in this matter.

The Stress Policy (referred to in many of the representations made against this application) refers specifically to 'Alcohol-Led Venue – Off Licence'.

We would reiterate at this point that this is an application regarding a 'Convenience Store with Off Licence' as at Section 5 of the application.

Therefore the premises is not 'alcohol led'. For example, an alcohol led venue would be a Threshers, Oddbins, Majestic Wine or similar.

There has been much mention of crime and disorder in the area. Please see the attached Crime Map from the Home Office UK Crime Mapper which we will be referring to in our presentation.

Lastly there has been a photograph supplied of some materials deposited at the back of the premises during the recent and ongoing refit.

This temporary situation was caused by the late arrival of a skip that was ordered.

Please rest assured that the materials have now been removed, and attached is a photograph of the same location as at this morning.

We are ever anxious to work with all Responsible Authorities and Community Representatives in this matter.

To that end we would welcome any suggestions you might have as to suitable Conditions which will further promote the Licensing Objectives.

Kind Regards

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank