



Licensing Sub Committee Hearing Panel

Date: Tuesday, 2 March 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 - Grimshaw, Andrews and Hewitson

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 - West Village, 220 Burton Road, Manchester, M20 2LW

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

Information about the Committee

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

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

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

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

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

Smoking is not allowed in Council buildings.

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

Further Information

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

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**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 2 March 2021

Subject: West Village, 220 Burton Road, Manchester, M20 2LW - App ref: Premises Licence variation 254752

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendations

That the Sub-Committee determine the application.

Wards Affected: Didsbury West

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

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

Equal Opportunities Policy
 Risk Management
 Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Background documents (available for public inspection):

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

1. **Introduction**

- 1.1 On 05 January 2021, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of West Village, 220 Burton Road, Manchester, M20 2LW in the Didsbury West 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 Urban Village Bars (Didsbury) 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 extend the hours for sale of alcohol from:
 - 11.00 – 23.00 Monday to Sunday, to:
 - 11.00 – 00.00 Sunday to Thursday & 11.00 – 01.00 Friday to Saturday

Supply of alcohol for consumption both on and off the premises:

Current hours: Mon to Sun 11am to 11pm, Seasonal Variations: None
Proposed hours: Sun to Thurs 11am to midnight, Fri to Sat 11am to 1am
Seasonal Variations: An extension of one hour from midnight to 1am on bank holidays

Opening hours:

Current hours: Mon to Sun 11am to 11.30pm, Seasonal Variations: None
Proposed hours: Sun to Thurs 11am to 12.30am, Fri to Sat 11am to 1.30am
Seasonal Variations: An extension of one hour from 12.30am to 1.30am on bank holidays

- 3.2.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 3.2.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 3**.

3.3 **Activities unsuitable for children**

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

3.4 **Steps to promote the licensing objectives**

- 3.4.1 The applicant has not proposed any additional steps to promote the licensing objectives.

4. **Relevant Representations**

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

Other Persons:

- Didsbury West Ward Councillor;
- West Didsbury Residents Association;
- Residents (x3).

- 4.2 Summary of the representations:

Party	Grounds of representation	Recommends
West Didsbury Ward Councillor	Concerns regarding noise and disturbance from late night drinkers, a potential increase in anti-social behaviour, lack of planning permission. Recommends restricting entry after a certain time.	Restricting entry after a certain time
West Didsbury Residents Association	States premises has a record of trading outside of limits of premises licence, which has previously caused disturbance to neighbours and causing public nuisance with inconsiderate use of pavement and noise. Proposes supply of alcohol on	Grant with reduced hours for sale of alcohol & opening hours

	Friday and Saturday be permitted until midnight, with Friday and Saturday hours of opening permitted until 12.30am.	
Residents (x3)	Surrounding area is heavily residential, many people working from home and families with small children. There is already anti-social behaviour e.g. public urination, public drinking and drug use caused in part by the bar scene in the area. Concerns for the future are regarding the premises being Covid19 safe, increased litter, increased noise disturbance, criminal activity, light pollution, impact on children in the area	Refuse x 2 Not stated x 1

4.3 No conditions have been proposed by the objectors.

5. **Key Policies and Considerations**

5.1 **Legal Considerations**

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

5.2 **New Information**

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

5.3 **Hearsay Evidence**

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

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

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

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

5.5 **Manchester Statement of Licensing Policy**

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

Section 6: What we aim to encourage

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

- Premises that will extend the diversity of entertainment and attract a wider range of participants
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
- National cultural institutions, global sports events and cultural festivals
- Non-drink-led premises, including restaurants, cafes, theatres and cinemas
- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application
- Participation in Pubwatches, off licence forums and other crime-reduction partnerships

- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

Section 7: Local factors

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

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

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

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

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

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

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

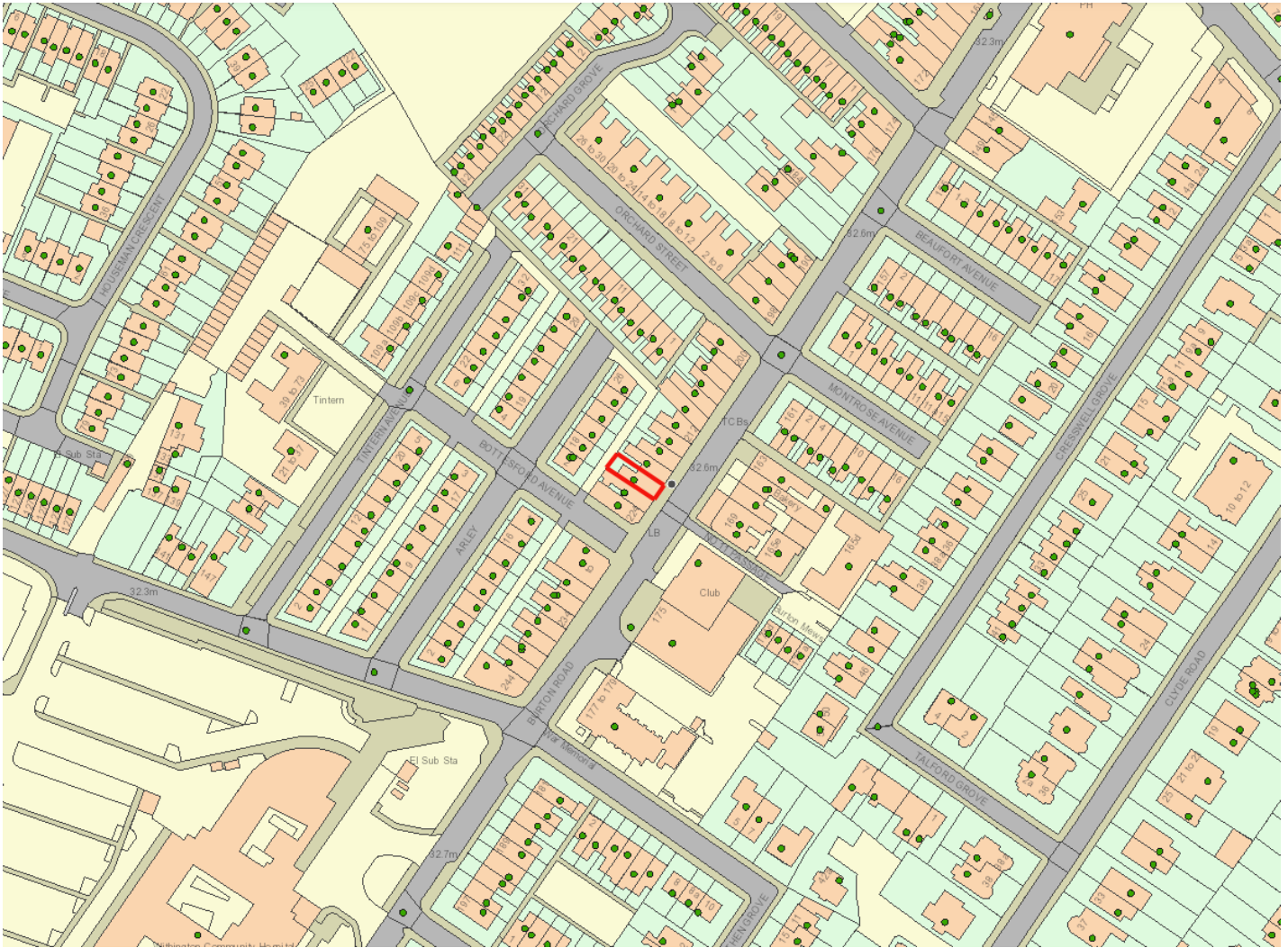
This section sets out particular expectations regarding large scale public events, given the specific associated risks.

6. **Conclusion**

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

6.9 **The Panel is asked to determine the application.**

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West Village
220 Burton Road, Manchester, M20 2LW

Premises Licensing
Manchester City Council

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Survey100019568.



PREMISE NAME:	West Village
PREMISE ADDRESS:	220 Burton Road, Manchester, M20 2LW
WARD:	Didsbury West
HEARING DATE:	02/03/2021



MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	137461
Granted	16/08/2011
Latest version	Variation 188033 (granted 28/06/2016)

Part 1 - Premises details

Name and address of premises
West Village 220 Burton Road, Manchester, M20 2LW
Telephone number
0161 445 2479

Licensable activities authorised by the licence
1. The sale by retail of alcohol*.
* All references in this licence to "sale of alcohol" are to sale by retail.

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	2300	2300	2300	2300	2300	2300	2300
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non standard Timings:							
None							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	2330	2330	2330	2330	2330	2330	2330
Seasonal variations and Non standard Timings:							
None							

Part 2

Details of premises licence holder	
Name:	Urban Village Bars (Didsbury) Limited
Address:	12b Kennerleys Lane, Wilmslow, SK9 5EQ
Registered number:	9920511

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

Name: Mr Martin Dillon
Address: [REDACTED]
Personal Licence number: Pers1988
Issuing Authority: Cheshire East Council

Annex 1 – Mandatory conditions

Door Supervisors

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

Supply of alcohol

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

$$P = D + (D \times V)$$
 where –
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “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.
6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
8. The responsible person must ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

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

Annex 2 – Conditions consistent with the operating schedule

1. CCTV shall be installed at the premises
2. Alcohol shall not be taken off the premises save for sealed containers.
3. The manager /Designated Premises Supervisor shall request that customers leave the premises quietly at the end of the evening.
4. A notice requesting customers leave quietly will be displayed at the exit of the premise.
5. The manager/ Designated Premises Supervisor shall assist in the calling of taxis for customers when requested.
6. All members of staff shall be trained in the law relating to the sale of alcohol to those underage.

Annex 3 – Conditions attached after hearing by the licensing authority

1. Members of staff shall take reasonable steps to prevent customers congregating outside the premises and to encourage dispersal at the end of the evening.
2. Members of staff shall request that any customers smoking outside the premises do so quietly, out of consideration to neighbours.
3. Suitable receptacles for the disposal of cigarette litter shall be provided for customers.
4. At the end of each evening, members of staff shall ensure that any litter is cleared from the front of the premises.
5. A 'Challenge 21' policy shall be implemented in full at the premises. Appropriate identification must be sought from any person who appears to be under the age of 21. The only acceptable forms of identification will be a passport, photographic driving licence and those bearing the PASS logo. Staff training to include the Challenge 21 policy.
6. The bi-fold doors at the front of the premises shall be closed and shall remain closed at all times after 2230 daily.
7. The rear yard and access alleyway shall not be used at any time for customer smoking.
8. Staff shall be permitted to smoke in the rear yard (but not the shared access alleyway) but no more than 3 persons shall be permitted to do so at any one time.
9. Staff using the rear yard to smoke shall be advised of the need to keep noise to a minimum so as not to disturb nearby residents.
10. Staff using the rear yard shall not be permitted to speak on their mobile phones whilst in the yard.
11. Staff shall not be permitted to use the rear yard to smoke after midnight.

Annex 4 – Plans

See attached

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

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**MANCHESTER
CITY COUNCIL**

Send completed application form to:
Premises Licensing
Manchester City Council
Level 2 Town Hall Extension
Albert Square
PO Box 532, M60 2LA

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We **Urban Village Bars (Didsbury) Limited**

(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 137461

Part 1 – Premises Details

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

**West Village
220 Burton Road
West Didsbury**

Post town	Manchester	Postcode	M20 2LW
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Telephone number at premises (if any)	
---------------------------------------	--

Non-domestic rateable value of premises	£
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Part 2 – Applicant details

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

Part 3 - Variation

Please tick as appropriate

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



Yes



No

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

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

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

To extend the hours for sale of alcohol from;

11.00 - 23.00 Monday-Sunday

to

11.00 - 00.00 Sunday-Thursday

11.00 - 01.00 Friday-Saturday

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

Part 4 Operating Schedule

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

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

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

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) <p style="text-align: center;">An extension of one hour from 00.00 to 01.00 on bank holidays</p>		
Mon	11.00	00.00			
Tue	11.00	00.00			
Wed	11.00	00.00			
Thur	11.00	00.00			
Fri	11.00	01.00			
Sat	11.00	01.00			
Sun	11.00	00.00			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	11.00	00.30	
Tue	11.00	00.30	An extension of one hour from 00.30 to 01.30 on bank holidays
Wed	11.00	00.30	
Thur	11.00	00.30	
Fri	11.00	01.30	
Sat	11.00	01.30	
Sun	11.00	00.30	
			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)

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

Please tick as appropriate

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



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

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

M

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

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

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:

Please tick to indicate agreement

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



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

Part 5 – Signatures (please read guidance note 10)

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

Signature	
Date	05/01/2021
Capacity	100

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

Signature	
Date	
Capacity	

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

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

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

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REPRESENTATION 1 WEST DISDBURY WARD COUNCILLOR

From: John Leech <cllr.john.leech@manchester.gov.uk>

Sent: 01 February 2021 15:06

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

Subject: Fw: Premises Licence variation 254752/GO2: West Village, 220 Burton Road, Manchester, M20 2LW, (Didsbury West ward)

Dear Licensing

I would like to object to the proposed license extension at West Village. There have been problems relating to noise and disturbance from late night drinking at West Village, and this extension would cause noise and disturbance and more anti-social behaviour late at night.

As far as I can establish, there appears to be a planning restriction to 12am and 1am on Fridays and Saturdays to protect the amenity of local residents. No license ought to be agreed that would exceed the allowed planning permission. I would also argue that a restriction be introduced to restrict entry after a certain time (apart for re-entry of smokers), so as to avoid the premises becoming a late night destination for drinkers leavers other premises to carry on late drinking.

Please note that I would like to attend the hearing for this application.

John Leech

REPRESENTATION 2 WEST DIDSBURY RESIDENTS ASSOCIATION

From: [REDACTED]

Sent: 26 January 2021 10:15

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

Cc: [REDACTED]
[REDACTED]
[REDACTED]

Subject: 254752 West Village WDRA amended representation

**To MCC Premises Licensing Unit
fao Grace Ollier**

Dear Grace, Premises Licensing Unit

**Premises Licence variation 254752/GO2: West Village, 220 Burton Road, Manchester,
M20 2LW, (Didsbury West ward)**

Thanks for the email notification of this application, and also for agreeing to accept this revised representation.

WDRA wish to make a representation as follows:

The variation seeks extension of permitted times for alcohol supply:
by one hour until 00:00 midnight Sunday until Thursday,
by two hours until 01:00 Friday and Saturday

with changed customer opening hours

Current hours: Mon to Sun 11am to 11.30pm

Proposed hours: Sun to Thurs 11am to 12.30am, Fri to Sat 11am to 1.30am

These premises have a past record of trading outside the limits permitted by the premises licence, causing great disturbance to neighbours and footpath users and including late night disturbance to neighbouring residents. Permitting this variation would almost certainly encourage further public nuisance.

We are aware that under the present covid lock down any variation is, for the present, academic as no alcohol may be supplied for consumption on or off the premises. However the covid lock down is we hope a situation that will end some time. The application seeks variation to a consent for supply of alcohol for consumption **both on and off the premises**.

The premises have past history of causing public nuisance associated with inconsiderate use of pavement, noise from outside drinkers. Extension of opening hours has the potential to produce additional later evening disturbance and would also encourage similar applications from neighbouring establishments.

WDRA wish to object to these proposed variations which would extend into the late evening the potential for public nuisance from both on sales and off sales customers.

In the spirit of compromise can we propose supply of alcohol on Friday and Saturday evenings be permitted until 00:00 midnight, with Friday and Saturday hours of opening permitted until 00:30.

Kind regards

[REDACTED]

[REDACTED]

WDRA Planning Officer (acting)

REPRESENTATION 3 RESIDENT

From: [REDACTED]

Sent: 25 January 2021 16:47

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

Cc: [REDACTED]

[REDACTED]

Subject: West Village late license application, Burton Road

Hello there

I understand that West Village has applied to extend its opening hours until midnight on weekdays and 1 am on Friday and Saturday.

I very much appreciate that independent businesses in the hospitality industry have been severely impacted by the ongoing covid 19 crisis and that they will seek to mitigate the impact once they are able to open again. It seems reasonable that while social distancing measures remain in force, business will have to adapt to ensure that their loss of footfall and income is minimised, and that this could be achieved in part by limiting customer numbers while extending opening hours.

Burton Road and the surrounding streets are, however, heavily residential and home to many families with small children. A large number of residents are also working from home where possible in line with local and national guidance. This means our homes are also our workplaces. Sadly, I have witnessed antisocial behaviour outside the shack, the unit which is now Mary and Archie's. I've seen customers spilling out into the road causing disruption to other pedestrians and traffic, and urinating on the pavement, in one instance against a private residential property on Orchard Street. No door staff were visible in either case.

With this context in mind I have a few questions about the application and the conditions on which the late license may be granted. I feel these are critical to understanding the potential impact of the application, should it be successful.

1. Are there specific guidelines or guidance currently in place for either decision makers in the licensing department, or applicants, that take account of the impact of social distancing measures, and both the primary and secondary legislation currently in force as regards coronavirus? (<https://www.legislation.gov.uk/coronavirus>) If yes, would it be possible to receive a copy in response to this email?
2. Have the applicants made clear and thorough reference to the measures they will employ to ensure compliance with any required social distancing measures, including but not limited to caps on the numbers of persons allowed in the venue at any one time, and sufficient PPE and hygiene measures to protect staff and customers?
3. What provisions do the applicants propose to ensure that customers do not cause nuisance in terms of noise or litter pollution, or generally behaving contrary to the spirit of any legislation that is in force at that time around covid 19?

Thank you

REPRESENTATION 4 RESIDENT

From: [REDACTED]
Sent: 28 January 2021 19:57
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: [REDACTED]
Subject: Complaint Against : Late LicenseApplication, West Village 220 Burton Rd, West Didsbury

This is a formal complaint to the above application as residents of [REDACTED].

For reference, [REDACTED] We currently struggle with the noise during an average week but as the hours are curtailed to 11pm, we currently cope and acknowledge the bar has to operate. However, to increase the operating hours to 12 and 1am respectively is completely unreasonable for many reasons. Before I outline my major concerns, I'd like to provide an overview of the Didsbury Bar scene currently.

Burton Rd currently has a chilled bar scene where the majority use as a pit stop before heading into the city centre where operational hours are later. This means that at 11pm people tend to move on, albeit fairly slowly. If this extension was granted, Didsbury would be seen as a whole night destination which would mean more would visit Burton Rd to stay for the entire night. As we see in

city centre locations, this ends with increased public disorder due to bar goers having more drinking time, and increased levels of potential for criminal activity. There's also the increased traffic at late hours with taxis etc taking those hanging around - home. I'd like to believe those who are deciding on this application, will look at the situation as a whole.

Above being said, my concerns are as follows:

Firstly, [REDACTED] I've attached an image for reference [REDACTED] My concern is that this pathway, which is where the bins are stored, is not lit at all and already provides a safe haven for criminal activity. I'm deeply concerned that any increase to operating hours will only increase the chances of criminal activity down this ally way. [REDACTED] Having being burgled at our previous address in Didsbury, this affects us deeply. I'd like to state, the answer to this in not installing lights, [REDACTED].

Secondly, noise disruption is a major concern. Currently, the rear door to the bar, [REDACTED] is constantly thrown open by the staff members to put out all the trash during the night. This means bottles are thrown into large bins [REDACTED] between 9pm and 11pm (can be seen in image - blue lids) currently on various different occasions throughout the night. It causes an absolute racket and inevitably wakes us up.

Equally, when the bars close, all those who spill out onto the road tend to hand around until 11.30 /12 causing further noise beyond operational hours. If this were to be extended to 1am on Friday, we would not get to sleep until 1.30 /2am without fail. This is entirely unfair, especially as my partner, [REDACTED] works weekends.

Thirdly, I'm also concerned this would set a precedent for other bars to seek an extension to operating hours on Burton Rd which will cause noise pollution far beyond what would be deemed fair and reasonable. Other bars on that street [REDACTED] staff smoke in the outside space and cause additional noise. West Village aren't the worst offenders with this but it does happen. So not only are bottles thrown out during current operational hours, staff use this space to smoke. This inevitably happens after the bar has closed when the staff take a moment before going home.

This application can't be seen as 12 / 1am closing, as the noise and potential for criminality goes far beyond this time frame.

Lastly, I'm sure our neighbours at [REDACTED] will raise this, but incase they did not receive the note in time, they also have a very young child who would struggle to sleep and therefore concentrate at school during her most formative years. Truly unacceptable in my view.

Anyway, I'm not one to usually complain about planning applications. However, on this occasion I genuinely believe it is wholly unreasonable for the reasons laid out above, and would inadvertently set a tone for others to follow which would affect local residents deeply.

Kind Regards,

[REDACTED]

REPRESENTATION 5 RESIDENT

From: [REDACTED]

Sent: 02 February 2021 13:26

To: [REDACTED]

[REDACTED]

Subject: Late Licence Application West Village 220 Burton Road

Dear Sir / Madam,

Please see our comments in relation to the above application, below.

It is with dismay that we understand that West Village is applying for an extension to their current opening hours and their license to sell alcohol.

We have attached a summary of the current opportunities for the public to acquire alcohol via pubs, restaurants and retail shops on a section of Burton Road which we measured as only 313 metres between Nell Lane and Cavendish Road. As you will see in the pdf attachment, this short area has currently 29 establishments which sell alcohol. Three of whom we understand have a late license already. I think you will agree that this densely populated residential area does not need an increase in alcohol licensing of any description for any establishment and the public is adequately served regarding their current ability to obtain alcohol.

As residents of this area of West Didsbury we are already living with unacceptable noise, litter and drug/alcohol taking in the streets and alleyways on Thursday, Friday, Saturday and Sunday nights in particular plus problems with parking. It is also difficult in (normal times) to push a pram or get a wheelchair down this part of Burton Road as bars and restaurants have got seating on the pavement in front of their premises. This has an affect on public safety.

We believe there are few benefits for those of us who live here; it is a residential area, and to approve further extensions to opening hours and alcohol sales would continue to erode this neighbourhood further and increase public nuisance and disorder.

Regards,

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



Premises serving alcohol along 313m length of Burton Road					
	Premises name:-	Serves alcohol:-			
1	George Charles	Yes			
2	Azzuro	Yes			
3	Saison	Yes			
4	Epicurean	Yes			
5	Co-op	Yes			
6	Conservative Club	Yes			
7	Boiler Room	Yes			
8	West Village	Yes			
9	Folk	Yes			
10	Volta	Yes			
11	Goottime Games	Yes			
12	Crazy Wendy's	Yes			
13	Pomegranate	Yes			
14	Mary & Archie	Yes			
15	Rustik	Yes			
16	Gurkha Grill	Yes			
17	Mercado	Yes			
18	Sakura House	Yes			
19	Reserve Wines	Yes			
20	Namaste Nepal	Yes			
21	Proove	Yes			
22	The Cove	Yes			
23	Sip	Yes			
24	Metropolitan	Yes			
25	Drawing Room	Yes			
26	One-bar	Yes			

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of the Local Government Act 1972.

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