



Licensing Sub Committee Hearing Panel

Date: Monday, 20 September 2021

Time: 10.00 am

Venue: Council Chamber, Level 2, Town Hall Extension

Everyone is welcome to attend this Sub-Committee meeting.

Access to the Council Chamber

Public access to the Council Chamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension.

There is no public access from any other entrance of the Extension.

Face Masks/Track and Trace

Anyone attending the meeting is encouraged to wear a face mask for the duration of your time in the building and to provide contact details for track and trace purposes.

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Andrews, Hassan and Jeavons

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. Application for a New Premises Licence - Northern Soul, Unit 10, Market Stalls, Church Street, Manchester, M4 1PN - determination 5 - 8

The determination papers are enclosed.

5. Application for a New Premises Licence - Name TBC, 49 Stretford Road, Manchester, M15 5JH - determination 9 - 12

The determination papers are enclosed.

6. Application for a Premises Licence Variation - Aldi, Kingsway, Manchester, M19 1LJ - determination 13 - 14

The determination papers are enclosed.

7. Application for a Premises Licence Variation - Swan Street Firehouse, 40 Swan Street, Manchester, M4 5JG 15 - 66

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

8. Application for a New Premises Licence - Castle Wharf, 2a Chester Road, Manchester, M15 4SA 67 - 132

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
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This agenda was issued on **Thursday, 9 September 2021** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

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Licensing Act 2003 (Hearings) Regulations 2005

Reference: 261603
Name: Northern Soul
Address: Unit 10, Market Stalls, Church Street, Manchester, M4 1PN
Ward: Piccadilly
Application Type: Premises Licence (new)
Name of Applicant: NorthersoulUK Ltd
Date of application: 28 July 2021

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted

The supply of alcohol for consumption on the premises only:
Mon to Sun 11am to 11pm

Opening hours:
Mon to Sun 11am to 11pm

Representations received

Greater Manchester Police	The operating schedule which accompanies the application offers several conditions but GMP believes that some of these need to be worded more robustly so as best to demonstrate that the 4 Licensing Objectives won't be undermined
Licensing & Out of Hours Compliance	The Licensing and Out of Hours Team have concerns that the grant of the application, in its current form, is likely to lead to the Prevention of Crime and Disorder and the Prevention of Public Nuisance Licensing objectives being undermined

Trading Standards	Concerns that the granting of this application could lead to issues which do not uphold the licensing objectives specifically the protection of children from harm
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Agreements between parties

Greater Manchester Police:

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.
2. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice.
3. The premises shall display prominent signage indicating at any point of sale, 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 the age of 18.
4. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice. 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.

Licensing & Out of Hours Compliance:

1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
2. Notices shall be prominently displayed at all exits requesting patrons to leave the area quietly and in an orderly manner.
3. Open containers of alcohol shall not be removed from the premises.

4. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
5. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
6. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.

Trading Standards:

1. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram.
2. All staff engaged in the sale of alcohol will be trained with regards to the Challenge 25 policy and sales by proxy. This training will be documented, and training should be refreshed at no greater than 6 monthly Intervals.
3. The Premises Licence Holder will ensure that signage demonstrating the Challenge 25 policy as well as selling alcohol to children by proxy are placed at the entrance to the premises as well as being displayed in all areas serving alcohol.
4. A log shall be kept and record all instances when alcohol has been refused for the reasons that the person(s) is, or appear to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.
5. The Premise Licence Holder will also ensure regular checks are made around the inside and outside of the premises for underage persons encouraging adults to buy alcohol for them.

Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Original application form
- Representations made against application and respective agreements

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Licensing Act 2003 (Hearings) Regulations 2005

Reference: 262023
Name: Name TBC
Address: 49 Stretford Road, Manchester, M15 5JH
Ward: Hulme
Application Type: Premises Licence (new)
Name of Applicant: Manchester Metropolitan Students Union Trading Limited
Date of application: 05 August 2021

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted

Provision of regulated entertainment (recorded music):
Mon to Sun 8am to 10pm

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

Opening hours:
Mon to Sun 8am to 10pm

Representations received

Greater Manchester Police	Concerns that the conditions set out in the operating schedule are not worded robustly enough to ensure that all four of the licensing objectives would be upheld
Licensing & Out of Hours Compliance	Concerns that the licensing objective of the prevention of public nuisance has not been adequately addressed

Trading Standards	Concerns that the licensing objective of the protection of children from harm has not been adequately addressed
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Agreements between parties

Greater Manchester Police:

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.
2. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice.
3. The premises shall display prominent signage indicating at any point of sale, 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 the age of 18.
4. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice. 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.

Licensing & Out of Hours Compliance:

1. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.

Trading Standards:

1. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo

card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram.

2. All staff engaged in the sale of alcohol will be trained with regards to the Challenge 25 policy and sales by proxy. This training will be documented, and training should be refreshed at no greater than 6 monthly Intervals.
3. The Premises Licence Holder will ensure that signage demonstrating the Challenge 25 policy as well as selling alcohol to children by proxy are placed at the entrance to the premises as well as being displayed in all areas serving alcohol.
4. A log shall be kept and record all instances when alcohol has been refused for the reasons that the person(s) is, or appear to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.
5. The Premise Licence Holder will also ensure regular checks are made around the inside and outside of the premises for underage persons encouraging adults to buy alcohol for them.

Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Original application form
- Representations made against application and respective agreements

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Licensing Act 2003 (Hearings) Regulations 2005

Reference: 261617
Name: Aldi
Address: Kingsway, Manchester, M19 1LJ
Ward: Burnage
Application Type: Premises Licence variation
Name of Applicant: Aldi Stores Limited
Date of application: 26 July 2021

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted

Supply of alcohol for consumption off the premises only:

Current hours: Mon to Sun 8am to 11pm

Proposed hours: Mon to Sun 6am to midnight

Opening hours:

Current hours: Mon to Sun 8am to 11pm

Proposed hours: Mon to Sun 6am to midnight

Representations received

Licensing & Out of Hours
Compliance

Concerns over the potential for public nuisance particularly from deliveries to the store

Agreements between parties

Licensing & Out of Hours Compliance:

1. Delivery drivers shall take all reasonable steps to conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address. 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.

Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Original application form
- Representations made against application and respective agreements

**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 20 September 2021

Subject: Swan Street Firehouse, 40 Swan Street, Manchester, M4 5JG –
App ref: Premises Licence variation 262110

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendations

That the Committee determine the application.

Wards Affected: Piccadilly

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

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

Equal Opportunities Policy
 Risk Management
 Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Name: Ashia Maqsood
 Position: Technical Licensing Officer
 Telephone: 0161 234 4139
 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 06 August 2021, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of Swan Street Firehouse, 40 Swan Street, Manchester, M4 5JG in the Piccadilly ward of Manchester.
- 1.2 A location map of the premises is attached at **Appendix 1**.
- 1.3 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.
- 1.4 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.
- 1.5 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 Swan Street Firehouse 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:
- Add live and recorded music to the licence between 9am and 1am Sunday to Thursday and between 9am and 2am Friday and Saturday.
 - Provide late night refreshment until 1am Sunday to Thursday and until 2am Friday and Saturday.
 - Permit the sale of alcohol until 1am Sunday to Thursday and until 2am Friday and Saturday

Proposed hours and licensable activities:

Provision of regulated entertainment (live music, recorded music): Both on and off the premises

Proposed hours: Sun-Thurs 9am to 1am
Fri and Sat 9am to 2am

Non-standard timing (NST):

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

An additional hour on the day British Summer Time begins to disapply its effect.

Provision of late night refreshment: Both on and off the premises

Current hours: Mon to Sun 11pm to 12am

NST: New Year: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Proposed hours: Sun-Thur 11pm to 1am
Fri and Sat 11pm to 2am

NST: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

An additional hour on the day British Summer Time begins to disapply its effect.

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

Current hours: Mon to Sun 9am to 12am

NST: New Year: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Proposed hours: Sun-Thurs 9am to 1am
Fri and Sat 9am to 2am

NST: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

An additional hour on the day British Summer Time begins to disapply its effect.

Opening hours:

Current hours: Mon to Sun 9am to 12.30am

NST: New Year: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Proposed hours: Sun to Thurs 9am to 1.30am
Fri and Sat 9am to 2.30am

NST: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

An additional hour on the day British Summer Time begins to disapply its effect.

- 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 provided further conditions to promote the licensing objectives

3.4.2 A copy of the current policies, attached to the current licence, is at **Appendix 5**

4. **Relevant Representations**

4.1 A total of 2 relevant representations were received in respect of the application (**Appendix 4**). The personal details of all members of the public have been redacted. Original copies of these representation will be available to the Committee at the hearing.

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;

Other Persons:

- Business x1

4.2 Summary of the representations:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance (LOOH)	LOOH have objected to the application based on the grounds that the area in which the premises is situated is a noise sensitive area. LOOH state that Officers have undertaken several visits to the premises since it opened in early 2021. Officers have noted issues with noise to be occurring on several occasions. LOOH further state that the team have received noise complaints in relation to excessive music emanating from the premises.	Refuse

	The Licensing Out of Hours team believe the hours applied for are excessive and have concerns that if this variation was granted, this would lead to the licensing objective of The Prevention of Public Nuisance being further undermined	
Local Business	A local business has objected to the application based on the grounds that the premises undermines the licensing objective, the prevention of public nuisance. The business states that the noise emanating from the premises causes a nuisance to residents and other businesses, and that the premises is exacerbating anti-social behaviours and problems in the area.	No recommendation stated

4.3 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:

- 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.

MS2 Effective general management of the premises

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)

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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PREMISE NAME: Swan Street Firehouse

PREMISE ADDRESS: 40 Swan Street, Manchester, M4 5JG

WARD: Piccadilly

HEARING DATE: 20/09/2021

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MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	249471
Granted	07/10/2020
Latest version	As above

Part 1 - Premises details

Name and address of premises
Swan Street Firehouse 40 Swan Street, Manchester, M4 5JG
Telephone number
TBC

Licensable activities authorised by the licence

1. The sale by retail of alcohol*.
2. The provision of late night refreshment.

* 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	0900	0900	0900	0900	0900	0900	0900
Finish	2400	2400	2400	2400	2400	2400	2400

The sale of alcohol is licensed for consumption both on and off the premises.

Seasonal variations and Non-standard Timings:

New Year: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Provision of late night refreshment

Standard timings

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	2400	2400	2400	2400	2400	2400	2400

Licensed to take place both indoors and outdoors.

Seasonal variations and Non-standard Timings:

New Year: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Hours premises are open to the public

Standard timings

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0900	0900	0900	0900	0900	0900	0900

Finish	0030	0030	0030	0030	0030	0030	0030
Seasonal variations and Non-standard Timings: New Year: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.							

Part 2

Details of premises licence holder	
Name:	Swan Street Firehouse Limited
Address:	Abacus House, Rope Walk, Garstang, Preston, PR3 1NS
Registered number:	12859975

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	Adelaide Winter
Issuing Authority:	Manchester City Council

Annex 1 – Mandatory conditions
<p>Door Supervisors</p> <p>1. 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"> (a) Unauthorised access or occupation (e.g. through door supervision), (b) Outbreaks of disorder, or (c) Damage, <p>unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.</p> <p>Supply of alcohol</p> <p>2. No supply of alcohol may be made under this premises licence:</p> <ul style="list-style-type: none"> (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. <p>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.</p> <p>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.</p> <p>(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.</p> <p>(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 –</p> <ul style="list-style-type: none"> (a) a holographic mark, or (b) an ultraviolet feature. <p>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.</p> <p>(2) For the purposes of the condition set out in (1) above–</p>

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) “permitted price” is the price found by applying the formula–
- $$P = D + (D \times V)$$
- where –
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the

vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

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

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

Annex 2 – Conditions consistent with the operating schedule

1. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.
2. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
3. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
4. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
5. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment, to be carried out by the DPS.
6. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - i. the number of door staff on duty;
 - ii. the identity of each member of door staff;
 - iii. the times the door staff are on duty.
7. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.
8. Staff will be trained in the requirements of the Licensing Act 2003 with regard to the Licensing Objectives, and the laws relating to under age sales and the sale of alcohol to intoxicated persons, and that training shall be documented and repeated at 6 monthly intervals.

9. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.
10. A first aid box will be available at the premises at all times.
11. Regular safety checks shall be carried out by staff.
12. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
13. The premises shall maintain an Incident Log and public liability insurance.
14. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
15. The exterior of the building shall be cleared of litter at regular intervals.
16. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
17. Doors and windows at the premises are to remain closed after 11pm, save for access and egress.
18. A Dispersal and Smoking Policy will be implemented and adhered to.
19. The emptying of bins into skips, and refuse collections will not take place between 11pm and 7am.
20. A "Challenge 25" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of ID are photographic driving licences, passports, HM forces warrant cards, EU/EEA national ID card or similar document or a form of identification with the "PASS" hologram.
21. Staff training will include the Challenge 25 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.
22. Notices advising what forms of ID are acceptable must be displayed.
23. Notices must be displayed in prominent positions indicating that the Challenge 25 policy is in force.

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

Not applicable

Annex 4 – Plans

See attached

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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 Swan Street Firehouse 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 249471

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Swan Street Firehouse 40 Swan Street			
Post town	Manchester	Postcode	M4 5JG

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£12,750.00

Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	██████████
Current postal address if different from premises address	
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
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

The purpose of this variation is to permit the sale of alcohol until 1am Sunday to Thursday (from midnight currently) and until 2am Friday and Saturday (from midnight currently.)

To provide late night refreshment until 1am Sunday to Thursday and until 2am Friday and Saturday.

To add live and recorded music to the licence between 9am and 1am Sunday to Thursday and between 9am and 2am Friday and 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 see guidance note 3) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Wed			<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 7)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
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 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
	0900	0100			
Tue					
	0900	0100			
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
	0900	0100			
Thur					
	0900	0100			
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
	0900	0200			
Sat			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour on the day British Summer Time begins to disapply its effect.		
	0900	0200			
Sun					
	0900	0100			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
	0900	0100			
Tue					
	0900	0100			
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
	0900	0100			
Thur					
	0900	0100			
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
	0900	0200			
Sat			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour on the day British Summer Time begins to disapply its effect.		
	0900	0200			
Sun					
	0900	0100			

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)	Both	<input type="checkbox"/>
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Wed			<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 7)		
Thur					
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			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 4)	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 5)		
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 6)		
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 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon	2300	0100			
Tue	2300	0100	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Wed	2300	0100			
Thur	2300	0100	<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 7)		
Fri	2300	0200			
Sat	2300	0200	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour on the day British Summer Time begins to disapply its effect.		
Sun	2300	0100			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	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 6)		
Mon	0900	0100			
Tue	0900	0100			
Wed	0900	0100			
Thur	0900	0100	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 7)		
			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour on the day British Summer Time begins to disapply its effect.		
Fri	0900	0200			
Sat	0900	0200			
Sun	0900	0100			

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 10).</p> <p>N/a</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	0900	0130	
Tue			
	0900	0130	
Wed			
	0900	0130	
Thur			
	0900	0130	
Fri			<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 7) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour on the day British Summer Time begins to disapply its effect.
	0900	0230	
Sat			
	0900	0230	
Sun			
	0900	0130	

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.

None

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 11)

As per the conditions attached to the current premises licence.

b) The prevention of crime and disorder

As per the conditions attached to the current premises licence.

c) Public safety

As per the conditions attached to the current premises licence.

d) The prevention of public nuisance

As per the conditions attached to the current premises licence.

e) The protection of children from harm

As per the conditions attached to the current premises licence.

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, 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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	Kuit Steinart Levy LLP
Date	6 August 2021
Capacity	Solicitors and Authorised Agents

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 14). **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 15)

Kuit Steinart Levy LLP
3 St Mary’s Parsonage

Post town	Manchester	Post code	M3 2RD
Telephone number (if any)	[REDACTED]		

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

████████████████████



Licensing & Out of Hours Compliance Team - Representation

Name	Jonathon Mathers
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	[REDACTED]
Telephone Number	[REDACTED]

Premise Details	
Application Ref No	262110
Name of Premises	Swan Street Firehouse
Address	40 Swan Street, Manchester, M4 5JG

Representation
<p>Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.</p> <p>The Licensing and Out of Hours team (LOOH) have assessed the likely impact of the grant of this application considering a number of factors, including the hours and activities applied for, the nature of the area in which the premises is located and the potential risk to the licensing objectives as a result of granting this licence. As a result of this assessment, the LOOH team have concerns that the grant of the application, in its current form, is likely to lead to The Prevention of Public Nuisance being undermined.</p> <p>The LOOH team have also given consideration to Manchester City Council's Statement of Licensing policy, in particular S7.25 in relation to the proximity of the premises to local residents and other local businesses particularly in relation to the potential for nuisance.</p> <p><i>'Where its discretion is engaged, the licensing authority will ensure that due consideration is given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises, to ensure they are located in a position that does not adversely affect their ability to ensure the promotion of the licensing objectives. The potential impact on any local residents will be an important matter for consideration.'</i></p> <p>The Swan Street Firehouse (Ramona) is located at 40 Swan Street, Manchester, M4 5JG. The area in which the premises is situated is a noise sensitive area. I believe my concerns about the location, timings & licensable activities are summed up in recent TripAdvisor reviews, which I exhibit JM1 to JM4. The west side of the premises runs adjacent to Mason Street and the north side borders Cable Street. Directly facing the premises from behind are two large hotel accommodation buildings. These hotels are the AC Marriott Hotel at 15 Mason Street which provides 172 rooms and the Staycity Aparthotel building at 20 Cable Street which offers 224 apartments for guests.</p>

Opposite the Swan Street Firehouse at 31 Swan Street, Manchester is the Rose & Monkey Hotel which caters for a select number of guests. To the north-west around 100m away from the premises is the Moda, Angel Gardens apartment complex at 1 Rochdale Road, M4 4GE which caters for 466 residential units.

In recent months, Licensing Out of Hours Officers have undertaken several visits to the premises since it opened in early 2021. Officers have noted issues with noise to be occurring on several occasions and have made the management team at the premises aware of this. On 29/04/2021 during the COVID lockdown, an officer visited the premises and witnessed a live DJ set taking place where the music was at a volume that would not meet the lockdown regulations in place at the time that stated any music played should be at a background level. This evidences that those responsible have contrasting views as to what is acceptable.

Furthermore, the Licensing Out of Hours team have received three noise complaints in relation to excessive music emanating from the applicant's premises. The first complaint was received on 04/05/2021. I was the officer who dealt with this complaint and I along with a colleague visited the premises on this date to make the management team aware of the complaint and to advise them to take the necessary measures to ensure the volume of music being played is not excessive. Another Licensing Out of Hours officer undertook a proactive visit to the premises at 22:00 on 08/05/2021 and again advised the premises to remedy the levels of music being played.

I undertook a further proactive visit to the premises on 22/05/2021. Whilst in the premises' outside area, the volume of the music being played was extremely excessive. I explained this to the manager on shift who replied, 'what did you say, sorry I can't hear you'. We had to walk away from the outside area in order to hear each other speak. A further proactive visit was undertaken by a LOOH officer on the evening of 27/06/2021. The officer who undertook this visit noted that the music was still loud, despite earlier interventions.

A further noise complaint was received by LOOH on 27/07/2021. This complaint was made from a complainant who [REDACTED]. The complainant stated that loud music emanating from Ramona (Swan Street Firehouse) premises could be heard [REDACTED].

A further noise complaint was received on 05/08/2021 from another [REDACTED]. The complainant stated that they could hear the lyrics to songs being played from the premises and that this noise is becoming unbearable.

Following this complaint, a proactive visit was undertaken by Licensing Out of Hours officers at 22:00 on 14/08/2021. The officer who undertook this visit noted that on arrival to the premises, House and Dance music was excessive and breaking out onto street level. The officer witnessed loud music and

heavy bass which was most severe at the rear of the premises on Cable Street adjacent to the Staycity Aparthotel. The officer believed the noise breakout from the premises was likely to be causing a nuisance to guests at the hotel and spoke with the premises management team to relay their concerns. A member of the Ramona management team advised the officer in attendance that they have arrangements with the Staycity hotel to locate business guests staying overnight on the other side of the building and leisure guests on their side (Adjacent to Ramona) as they will not mind.

The concerns shared within this representation are also concerns that were raised during the planning application which was decided on 02/12/2020 – with the following conditions added to the decision notice:

Condition 3

- The premises shall not be open outside the following hours - 08:00-23.00 Sunday to Thursday 08.00-00.30 Friday to Saturday Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.


Condition 12

- There will be no playing of live or amplified music on the premises after 10pm Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with policies SP1, C10 and DM1 of the Core Strategy and saved Unitary Development Plan policies DC10 and DC26

The Licensing Out of Hours team believe the hours applied for are excessive and have concerns that if this variation was granted, this would lead to the licensing objective of The Prevention of Public Nuisance being undermined. Due to the area in which the premises are located close to hotel accommodation, residential apartments and a history of noise complaints, LOOH recommend that this application to vary the licence is refused.

Recommendation: Approve Application
 Approve with Conditions (Outlined Above)
Refuse Application

AC Hotel Manchester City Centre [Special offer](#) COVID-19 [About](#) [Location](#) [Reviews](#)

 [View 2 Aug](#) contribution ...

●○○○○○

AVOID

"Went to stay for the weekend with my boyfriend, arrived at checkin to a rude lady and was told to pay £40 upfront, which was not stated when booking. We weren't expecting to pay this amount of money, but wasn't fussed.

We were given our hotel room keys and went up to our room. The room was empty, with no decorations. A plain room, and after reading the letter they gave us when checking in, turns out they've only kept the 'essentials' in the room. for the amount we payed, we expected the room to atleast have a few decorations. We understand the covid procedure, but when we went for our weekend away, social distancing was scrapped and so were masks. The room could've atleast been properly furnished for the price we paid.

We then went to the hotel room for a shower. The shower was dribbling out and leaking all over the bathroom floor. We had to use numerous towels to clean up the water. Again, not what we paid for.

The noise from the **bar** behind was absolutely ridiculous, went on into 3am in the morning. Asked to move rooms and was told no. The construction also woke us up at 6/7am so not good sleep whatsoever.

We then were looking around for a room service menu.... To realise they don't do room service. And was told it was (because of covid).

The telly worked on 1 channel which was the news. The 'connect your phone to Netflix' you are told when booking and on the letter is lies. Don't believe it. Room was dusty.

In the morning we woke up, made a brew only to realise there were no cups in our room apart from disposable which we had used the night before. Rang up reception for them to tell us we had to go downstairs for it, or wait 30 mins for them to bring it up.

We checked out, left the room, and asked when the money was going to be put back into our account after the £40 taken. They said straight away, and still 3/4 days later there's nothing.



The place was quiet, no music, dark, unhomly and not what we paid for whatsoever. So disappointed considering the amount we paid to stay there."

[Read less](#) ▲

Date of stay: August 2021

Trip type: Travelled as a couple

This review is the subjective opinion of a Tripadvisor member and not of TripAdvisor LLC.


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JM1

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●●●○○

Hotel lovely, location not great

"The hotel itself was lovely, decorated really well, very modern. With a small gym which had good equipment in. The staff seemed very friendly and helpful too. The rooms are of good size and the tv has itv & bbc player which was very good.

The location isn't great at the moment as there is a construction site next door, making it hard for taxi drivers to come get you or drop you off as the roads are closed. It was also very noisy in the morning from about 7am although one morning it started at 6:30am.

There is a **bar** just around the corner which plays ridiculously loud music but this was only noticeable on the thurs & fri night, it was quiet Monday, tuesday and weds.

The first and second day we stayed we were out all day and we did not get any room service despite leaving a note on our door. However once we came back a member of staff kindly knocked on our door and asked if we needed anything. We asked for the essentials although the room did need a clean and this point. There was no glasses for water, just disposable coffee cups. And the shower wasn't that powerful."

[Read less](#) ▲

Date of stay: June 2021

Trip type: Travelled as a couple

JM2

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AC Hotel Manchester City Centre

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 a review Jul 2021 ⋮

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Room 314

"Hotel room was beautiful, just what we expected, however bathroom shower was very disappointing, there was no water pressure, and water jus dribble down, fan extractor in bathroom was not working, so the hole bathroom steamed up, quite a lot of **noise** coming from the bar, across the road from our room window, and this continued till 3am, so no much sleep, but was woken up again at 7am by the building site, and could not go back to sleep. Breakfast was fantastic. Good quality produce. Room need good dusting!"

[Read less](#) ▲

Date of stay: July 2021

Trip type: Travelled as a couple

Room Tip: U can park at the back of hotel £5 for 24h

[See more room tips](#)

This review is the subjective opinion of a Tripadvisor member and not of TripAdvisor LLC.

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JM3

[← See all 131 hotels in Manchester](#)

AC Hotel Manchester City Centre

 Special offer

[COVID-19](#)

[About](#)

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Thank you for reviewing your recent stay with us it is always helpful to see what our guests need. I will certainly pass on your comments to the team so we can look at ways to address the outside noise from the city.

We do hope we will see you soon

This response is the subjective opinion of the management representative and not of TripAdvisor LLC

 wrote a review Jul 2021 ...

●○○○○

Joke of a stay

"Room was nice enough. The music coming from the **bar** behind the hotel is RIDICULOUS the whole room may as well be shaking. Phoned to ask to move rooms was told no. Ruins the whole stay. JOKE for what your paying. You would think by midnight the music would have stopped but nothing. Still continues."

[Read less](#) ▲

Date of stay: June 2021

Trip type: Travelled as a couple

Room Tip: Avoid this hotel if you want a sleep

[See more room tips](#)

JM4

Business

From: [REDACTED]
Sent: 02 September 2021 17:49
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Firehouse Licence Extension

Hello!

Yes, this is to confirm we strongly object to the extension in licensing hours for the Swan Street Firehouse / Ramona.

Although we do wish them well, there are a number of issues that are arising for us [REDACTED]
[REDACTED]

We are already feeling that the venue is too loud with its midnight licence. As it outdoors i have never fully understood how they got the licence in the first place to make that much noise outside every weekend of the year, [REDACTED]
[REDACTED] and Its already quite deafening, especially when bands and DJ's are playing past 11pm.

Some nights they certainly push it more than others.

We have always been concerned about the amount of people traffic crossing Swan Street in and out of Ramona. It's certainly a matter of time before somebody is going to get hurt crossing the road to enter / exit Ramona.

Since Ramona [REDACTED] as the area has become a lot more chaotic with Taxi drop offs and general public disorder. Im not blaming Ramona completely, but the area [REDACTED] on Foundry lane has become a bit of a nightmare / public toilet also.

I expect things to calm down in the winter, but the idea of this now going on till 2am is a big issue for us.

All the best, and i really don't wish to fall out with them

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

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SWAN STREET FIREHOUSE

DISPERSAL POLICY

The purpose of this Dispersal Policy is to ensure, so far as it is possible, that minimum disturbance or nuisance is caused to our neighbours and to ensure that the operation of the premises makes the minimum impact upon the neighbourhood in relation to potential nuisance and anti-social behaviour. This will be achieved by exercising pro-active measures towards and at the end of the evening.

By ensuring that this Dispersal Policy document is brought to the attention of Management and Staff we will seek to encourage the efficient, controlled and safe dispersal of our patrons during our closing period.

1. At the end of the evening management and staff will assist with the orderly and gradual dispersal of patrons.
2. Staff Members (including door personnel when employed) will advise patrons to leave the premises quickly and quietly out of respect for our neighbours.
3. Notices will be displayed requesting our customers to leave quietly and in an orderly manner out of consideration to neighbours and their attention will be drawn to these notices by members of staff.
4. We will ensure the removal of all bottles and drinking receptacles from any patron before exiting the premises (this does not apply in the case of consumption in any delineated external drinking area or in the case of alcohol sold for consumption off the premises).
5. We will actively discourage our customers from assembling outside the premises at the end of the evening.

SWAN STREET FIREHOUSE
SMOKING & AL FRESCO DINING POLICY

1. Any outside area used by customers wishing to dine, drink or smoke shall be clearly delineated and covered by the CCTV system which will be installed at the premises.
2. The outside area shall be monitored by staff or door staff regularly when it is in use.
3. The area will be cleaned regularly.
4. Suitable receptacles shall be provided for smokers to dispose of cigarette butts.
5. Signs will be displayed in the area requesting customers keep noise to a minimum.
6. Patrons who disregard signage and verbal instructions regarding noise will be asked to move inside and/or leave the premises.
7. Open containers of alcohol shall not be permitted to be taken beyond the boundary of the outside area.

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

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**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 20 September 2021

Subject: Castle Wharf, 2a Chester Road, Manchester, M15 4SA - App ref:
Premises Licence (new) 262021

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: Deansgate

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

Name: Fraser Swift
Position: Principal Licensing Officer
Telephone: 0161 234 1176
E-mail: fraser.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
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

1. **Introduction**

- 1.1 On 03 August 2021, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Castle Wharf, 2a Chester Road, Manchester, M15 4SA in the Deansgate 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 FQ Developments Limited.
- 2.3 The description of the premises given by the applicant is:

The application seeks to licence the communal areas within the scheme, as per the plans deposited, for the use of residents and their bona fide guests. The licensed space will not be open to members of the general public. More details regarding the development can be found here – <https://castlewharfmanchester.com/>

- 2.4 The proposed designated premises supervisor is Jack Dorney

2.5 **The licensable activities applied for:**

Provision of regulated entertainment (plays, films, indoor sporting events live music, recorded music, performances of dance and anything of a similar description to live music, recorded music or performances of dance) Both indoors and outdoors:

Mon to Sun 9am to midnight

Non Standard timings:

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Provision of late night refreshment (both indoors and outdoors):
 Mon to Sun 11pm to midnight
 Non Standard timings:
 From the end of permitted hours on New Year's Eve to 5am on New Year's Day.

The supply of alcohol for consumption both on and off the premises:
 Mon to Sun 9am to midnight
 Non Standard timings:
 From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Opening hours:
 Residents of the development and their bona fide guests will be able to access the areas 24 hours per day, 7 days per week.
 The premises will not be open to the public.

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

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

2.6 **Activities unsuitable for children**

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

2.7 **Steps to promote the licensing objectives**

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

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

3. **Relevant Representations**

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

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;

3.2 Summary of the representation

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	<p>The Licensing and Out of Hours Team have assessed the likely impact of the grant of this application, considering several factors including the nature of the business, the proximity to other residential properties and the hours applied for. A site visit has been undertaken, to fully appreciate the site (currently in construction) and its surrounding areas.</p> <p>They propose several additional licence conditions are added to the operating schedule in order to fully promote the four licensing objectives.</p>	Grant with conditions

- 3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.
- 3.4 Agreements on conditions have not been reached.
4. **Key Policies and Considerations**
- 4.1 **Legal Considerations**
- 4.1.1 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.
- 4.2 **New Information**
- 4.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.
- 4.3 **Hearsay Evidence**
- 4.3.1 The Panel may accept hearsay evidence and it will be a matter for the Panel to attach what weight to it that they consider appropriate. Hearsay evidence is evidence of something that a witness neither saw nor heard, but has heard or read about.
- 4.4 **The Secretary of State's Guidance to the Licensing Act 2003**
- 4.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided for all parties involved in licensing. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.

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

4.5 **Manchester Statement of Licensing Policy**

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

Section 6: What we aim to encourage

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

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

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

Section 7: Local factors

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

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

- Identified risk factors specific to the licensed premises
- 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.

MS1 Implement effective security measures at the premises

MS8 Prevent noise nuisance from the premises

MS12 Prevent underage sales of alcohol, including proxy sales

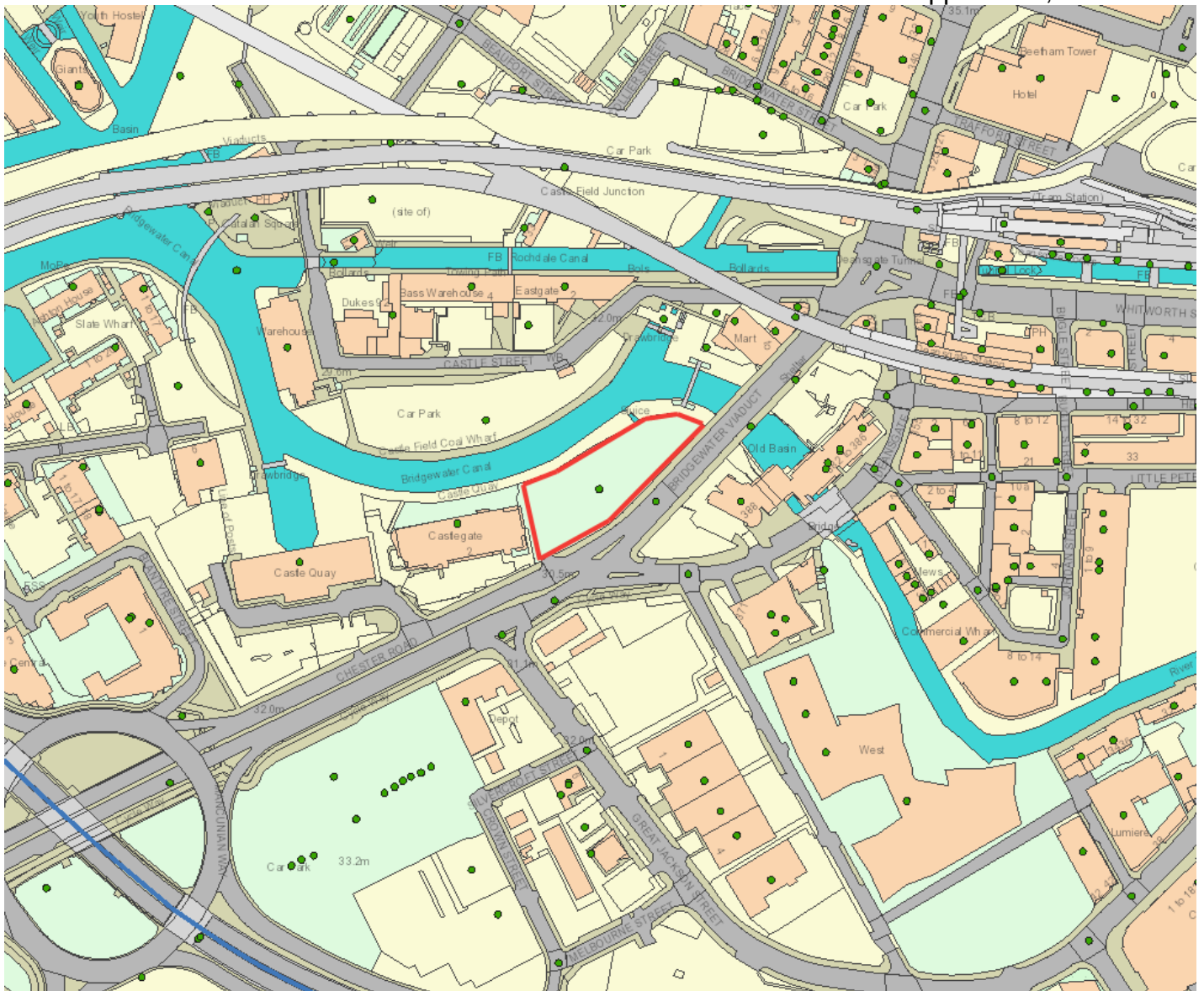
5. Conclusion

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.**



Castle Wharf
2a Chester Road, Manchester, M15 4SA

Premises Licensing
Manchester City Council

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PREMISE NAME: Castle Wharf

PREMISE ADDRESS: 2a Chester Road, Manchester, M15 4SA

WARD: Deansgate

HEARING DATE: 20/09/2021

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We FQ Developments Limited

(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			
Castle Wharf 2A Chester Road			
Post town	Manchester	Postcode	M15 4SA

Telephone number at premises (if any)	To be advised
Non-domestic rateable value of premises	£Under construction

Part 2 - Applicant details

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

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

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name FQ Developments Limited
Address 1 st Floor NQ Building 47 Bengal Street Ancoats M4 6BB
Registered number (where applicable) 09301627
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited company

Telephone number (if any)
E-mail address (optional) <div style="background-color: black; width: 100px; height: 15px; margin-top: 5px;"></div>

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	09	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)

More details regarding the development can be found here –

<https://castlewharfmanchester.com/>

The application seeks to licence the communal areas within the scheme, as per the plans deposited, for the use of residents and their bona fide guests. The licensed space will not be open to members of the general public..

Licensable activities are sought between 9am and midnight daily.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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



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



In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input checked="" type="checkbox"/>
Mon	09.00	00.00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	09.00	00.00			
Wed	09.00	00.00	<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur	09.00	00.00			
Fri	09.00	00.00	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	09.00	00.00	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sun	09.00	00.00			

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input checked="" type="checkbox"/>
Mon	09.00	00.00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	09.00	00.00			
Wed	09.00	00.00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur	09.00	00.00			
Fri	09.00	00.00	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.09.00		
Sat	09.00	00.00			
Sun	09.00	00.00			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon	09.00	00.00	<p><u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)</p> <p><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>
Tue	09.00	00.00	
Wed	09.00	00.00	
Thur	09.00	00.00	
Fri	09.00	00.00	
Sat	09.00	00.00	
Sun	09.00	00.00	

D

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

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	09.00	00.00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	09.00	00.00			
Wed	09.00	00.00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	09.00	00.00			
Fri	09.00	00.00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	09.00	00.00	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sun	09.00	00.00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	09.00	00.00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	09.00	00.00			
Wed	09.00	00.00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	09.00	00.00			
Fri	09.00	00.00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sat	09.00	00.00			
Sun	09.00	00.00			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	09.00	00.00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	09.00	00.00			
Wed	09.00	00.00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur	09.00	00.00			
Fri	09.00	00.00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	09.00	00.00	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sun	09.00	00.00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon	09.00	00.00		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	09.00	00.00	<u>Please give further details here</u> (please read guidance note 4)		
Wed	09.00	00.00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Thur	09.00	00.00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri	09.00	00.00	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sat	09.00	00.00			
Sun	09.00	00.00			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	23.00	00.00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	23.00	00.00			
Wed	23.00	00.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23.00	00.00			
Fri	23.00	00.00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	23.00	00.00	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Sun	23.00	00.00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	09.00	00.00			
Tue	09.00	00.00			
Wed	09.00	00.00			
Thur	09.00	00.00			
Fri	09.00	00.00			
Sat	09.00	00.00			
Sun	09.00	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 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

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

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

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).

N/a

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p><u>State any seasonal variations</u> (please read guidance note 5)</p> <p>Residents of the development and their bona fide guests will be able to access the areas 24/7.</p>
Day	Start	Finish	
Mon			<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p>
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

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)

Please refer to the attached Operating Schedule.

b) The prevention of crime and disorder

Please refer to the attached Operating Schedule

c) Public safety

Please refer to the attached Operating Schedule

d) The prevention of public nuisance

Please refer to the attached Operating Schedule

e) The protection of children from harm

Please refer to the attached Operating Schedule

Checklist:**Please tick to indicate agreement**

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

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

	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	██████████
Date	3 August 2021
Capacity	Solicitors

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

Signature	
Date	
Capacity	

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

OPERATING SCHEDULE**A) The Prevention of Crime and Disorder**

1. Licensable activities shall only be provided to residents and their bona fide guests.
2. A CCTV system shall be maintained and operated at the premises with cameras positioned throughout the licensed space.
3. Recorded CCTV images will be maintained and stored for a period of thirty-one days and shall be produced to the Police or Licensing Authority upon request.
4. CCTV will be in operation at any time licensable activities take place. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
5. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
6. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment, to be carried out by the DPS on an event by event basis. When employed, door staff will wear high visibility armbands.
7. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - (i) the number of door staff on duty;
 - (ii) the identity of each member of door staff;
 - (iii) the times the door staff are on duty.

B) Public Safety

1. A first aid box will be available at the premises at all times.
2. Regular safety checks shall be carried out by staff.
3. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
4. The premises shall maintain an Incident Log and public liability insurance.

C) The Prevention of Public Nuisance

1. Noise from amplified music or voices shall not be such as to cause a noise nuisance to nearby occupants.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
3. Notices will be positioned at the public exits to the premises requesting customers to leave in a quiet manner.

D) The Protection of Children From Harm

1. When the sale of alcohol is taking place, a "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram.
2. Staff who are to sell alcohol will have training which will include the Challenge 21 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18.
3. Notices advising what forms of ID are acceptable must be displayed.
4. Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.

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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**

Licensing & Out of Hours Compliance Team - Representation

Name	Steve Harrison
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	Steve.harrison2@manchester.gov.uk
Telephone Number	0161 234 1220

Premise Details

Application Ref No	REF 262021
Name of Premises	Castle Wharf
Address	2a Chester Road, Manchester, M15 4SA

Representation

The Licensing and Out of Hours Team have assessed the likely impact of the grant of this application, considering several factors including the nature of the business, the proximity to other residential properties and the hours applied for. A site visit has been undertaken, to fully appreciate the site (currently in construction) and its surrounding areas.

I would like to propose the following licence conditions are added to the operating schedule in order to fully promote the Four licensing objectives of :-
 The Prevention of Crime and Disorder
 Public Safety
 The Prevention of Public Nuisance
 The Protection of Children from Harm.

The changes I propose are marked in red

A) The Prevention of Crime and Disorder

1. Licensable activities shall only be provided to residents and their bona fide guests.
2. A CCTV system shall be maintained and operated at the premises with cameras positioned **to cover the whole of the licensed space inside and out where members of the public have access. This will also include meeting rooms and booths.**
3. Recorded CCTV images will be maintained and stored for a period of thirty-one days and shall be produced to the Police or Licensing Authority upon request.
4. CCTV will be in operation at any time licensable activities take place. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.

5. Any person left in charge of the premises must be trained in the use of any such CCTV equipment and be able to produce CCTV images to an officer from a responsible authority upon request.

6. SIA registered door staff shall be employed at the premises, in accordance with a **documented** risk assessment, to be carried out by the DPS on an event by event basis. When employed, door staff will wear high visibility armbands.

7. When employed, a register of those door staff employed shall be maintained at the premises and shall include:

(i) the number of door staff on duty;

(ii) the identity of each member of door staff;

(iii) the times the door staff are on duty.

(iv) **The full 16-digit SIA badge number shall be recorded**

8, Open containers of alcohol shall not be removed from the premises, except for consumption in any delineated external area as shown on the plan attached to the licence.

B) Public Safety

1. A competent and trained first aider shall be on site at the premises when it is open to the public and a fully stocked and accessible first aid box will always be available at the premises.

2. Daily checks in relation to Fire Safety and Health and Safety at Work, shall be carried out by staff and recorded. These checks will include an opening and closing schedule and shall include inside and outside the premises.

3. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.

4. The premises shall maintain an Incident Log either electronically or in paper format. This log shall be retained for a minimum of 12 months and be available on request to an authorised officer. It shall record the following

All crimes reported to the venue or by the venue to the Police

All ejections of patrons or their guests

Any incidents of disorder

Any faults or maintenance with the CCTV system

Any visits made by the Local Authority or emergency services

5. public liability insurance shall be obtained.

6. Staff shall be trained in appropriate fire routines and evacuation procedures. This training will be fully documented and refreshed every 12 months. Fire routines and evacuation procedures shall be exercised quarterly as a minimum requirement.

C) The Prevention of Public Nuisance

1. Noise from amplified music, **outdoor speakers**, or voices shall not be such as to cause a noise nuisance to nearby occupants.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
3. Notices will be positioned at the public exits to the premises requesting customers to leave in a quiet manner.
4. **No odour shall emanate from the premises that gives rise to a nuisance**

D) The Protection of Children from Harm

1. When the sale of alcohol is taking place, a "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram.
2. Staff who are to sell alcohol will **receive documented** training which will include the Challenge 21 Policy and its operation. Staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. **This training shall be refreshed every 12 months**
3. Notices advising what forms of ID are acceptable must be displayed.
4. Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.

Recommendation:- Approve with Conditions (outlined above in red)

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Licensable activities shall only be provided to residents and their bona fide guests. 2. A CCTV system shall be maintained and operated at the premises with cameras positioned throughout the licensed space. 3. Recorded CCTV images will be maintained and stored for a period of thirty-one days and shall be produced to the Police or Licensing Authority upon request. 4. CCTV will be in operation at any time licensable activities take place. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player. 5. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request. 6. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment, to be carried out by the DPS on an event by event basis. When employed, door staff will wear high visibility armbands. 7. When employed, a register of those door staff employed shall be maintained at the premises and shall include: <ol style="list-style-type: none"> i. the number of door staff on duty; ii. the identity of each member of door staff; iii. the times the door staff are on duty. 8. A first aid box will be available at the premises at all times. 9. Regular safety checks shall be carried out by staff. 10. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations. 11. The premises shall maintain an Incident Log and public liability insurance. 12. Noise from amplified music or voices shall not be such as to cause a noise nuisance to nearby occupants. 13. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. 14. Notices will be positioned at the public exits to the premises requesting customers to leave in a quiet manner. 15. When the sale of alcohol is taking place, a "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only 	N/A	Applicant

Schedule of Licence Conditions

<p>acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram.</p> <p>16. Staff who are to sell alcohol will have training which will include the Challenge 21 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18.</p> <p>17. Notices advising what forms of ID are acceptable must be displayed.</p> <p>18. Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.</p>		
Conditions proposed by objectors	Agreed	Proposed by
<p>1. A CCTV system shall be maintained and operated at the premises with cameras positioned to cover the whole of the licensed space inside and out where members of the public have access. This will also include meeting rooms and booths. (To replace condition 2 proposed by the applicant)</p> <p>2. SIA registered door staff shall be employed at the premises, in accordance with a documented risk assessment, to be carried out by the DPS on an event by event basis. When employed, door staff will wear high visibility armbands. (To replace condition 6)</p> <p>3. When employed, a register of those door staff employed shall be maintained at the premises and shall include:</p> <ul style="list-style-type: none"> (i) the number of door staff on duty; (ii) the identity of each member of door staff; (iii) the times the door staff are on duty. (iv) The full 16-digit SIA badge number shall be recorded (To replace condition 7) <p>4. Open containers of alcohol shall not be removed from the premises, except for consumption in any delineated external area as shown on the plan attached to the licence.</p> <p>5. A competent and trained first aider shall be on site at the premises when it is open to the public and a fully stocked and accessible first aid box will always be available at the premises. (To replace condition 8)</p> <p>6. Daily checks in relation to Fire Safety and Health and Safety at Work, shall be carried out by staff and recorded. These checks will</p>	No (all)	Licensing and Out of Hours

Schedule of Licence Conditions

<p>include an opening and closing schedule and shall include inside and outside the premises. (To replace condition 9)</p> <p>7. The premises shall maintain an Incident Log either electronically or in paper format. This log shall be retained for a minimum of 12 months and be available on request to an authorised officer. It shall record the following:</p> <ul style="list-style-type: none"> i. All crimes reported to the venue or by the venue to the Police ii. All ejections of patrons or their guests iii. Any incidents of disorder iv. Any faults or maintenance with the CCTV system v. Any visits made by the Local Authority or emergency services (To replace condition 11) <p>8. Public liability insurance shall be obtained.</p> <p>9. Staff shall be trained in appropriate fire routines and evacuation procedures. This training will be fully documented and refreshed every 12 months. Fire routines and evacuation procedures shall be exercised quarterly as a minimum requirement.</p> <p>10. Noise from amplified music, outdoor speakers, or voices shall not be such as to cause a noise nuisance to nearby occupants. (To replace condition 12)</p> <p>11. No odour shall emanate from the premises that gives rise to a nuisance.</p> <p>12. Staff who are to sell alcohol will receive documented training which will include the Challenge 21 Policy and its operation. Staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. This training shall be refreshed every 12 months. (To replace condition 16)</p>		
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