



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 13 December 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**

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**Councillors** - Andrews, Connolly and Hassan

## Agenda

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**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 Premises Licence Variation - Iconic Bar, 29 Richmond Street, Manchester, M1 3LZ**

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

## Information about the Committee

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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

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

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This agenda was issued on **Friday, 3 December 2021** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Sub-Committee Hearing Panel – 13 December 2021

**Subject:** Iconic Bar, Iconic Bar, 29 Richmond Street, Manchester, M1 3LZ -  
App ref: Premises Licence variation 265361

**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

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Contact Officers:**

Name: Fraser Swift  
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Name: Chloe Tomlinson  
Position: Technical Licensing Officer  
Telephone: 0161 234 4521  
E-mail: premises.licensing@manchester.gov.uk

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

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

## 1. **Introduction**

- 1.1 On 27/10/2021, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of Iconic Bar, Iconic Bar, 29 Richmond Street, Manchester, M1 3LZ in the Piccadilly ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

## 2. **Current Licence**

- 2.1 The premises licence holder is Karen John and a copy of the current licence is attached at **Appendix 2**.

## 3. **The Application**

- 3.1 A copy of the application is attached at **Appendix 3**.
- 3.2 The variation is to extend hours for the sale of alcohol (both on and off sales) and recorded music from Mon to Sun 12pm to 2am (currently 12pm to 11pm for off sales) to Sun to Thurs 12pm to 3am and Fri to Sat 12pm to 4am. Also to extend the opening hours to Sun to Thurs 12pm to 3.30am and Fri to Sat 12pm to 4.30am.
  - 3.2.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
  - 3.2.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 3**.
- 3.3 **Activities unsuitable for children**

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

3.4 **Steps to promote the licensing objectives**

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

3.4.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 5**.

4. **Relevant Representations**

4.1 A total of 1 relevant representation was received in respect of the application (**Appendix 4**). Original copies of all representations will be available to the Committee at the hearing.

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;

4.2 Summary of the representations:

Party	Grounds of representation	Recommends
<b>Licensing and Out of Hours Compliance</b>	LOOH are concerned by the lack of additional conditions proposed by the applicant, for instance a condition pertaining to last entry times given the extended hours. They believe there is the potential for the licensing objectives to be undermined.	Refuse

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

5. **Key Policies and Considerations**

5.1 **Legal Considerations**

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

5.2 **New Information**

5.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations

or notice either before the hearing or, with the consent of all parties, at the hearing.

### 5.3 Hearsay Evidence

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

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

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

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

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

### 5.5 Manchester Statement of Licensing Policy

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

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

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

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

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

This section identifies certain types of venues and initiatives the licensing authority aims to encourage in order to promote an inclusive evening and night-

time economy not simply focused on the consumption of alcohol. We aim to encourage:

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

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

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

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

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

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

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

- |     |   |
|-----|---|
| MS1 | Implement effective security measures at the premises   |
| MS2 | Effective general management of the premises  |
| MS3 | Responsible promotion and sale of alcohol   |
| MS4 | Prevent the use of illegal drugs, new psychoactive substances (NPS) and the spiking of drinks at the premises |
| MS5 | Prevent on-street consumption of alcohol  |

- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS7 Maintain a safe capacity
- 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)

## 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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Iconic Bar  
Iconic Bar, 29 Richmond Street, Manchester, M1 3LZ

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# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	246259
Granted	08/06/2020
Latest version	Minor Variation 247189 (Granted: 15/07/2020)

### Part 1 - Premises details

<b>Name and address of premises</b>
<b>Iconic Bar</b> Iconic Bar, 29 Richmond Street, Manchester, M1 3LZ
<b>Telephone number</b> 0161 237 3000

<b>Licensable activities authorised by the licence</b>
<ol style="list-style-type: none"> <li>The sale by retail of alcohol*.</li> <li>The provision of regulated entertainment, limited to: Recorded music;</li> </ol> <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

### The times the licence authorises the carrying out of licensable activities

<b>Sale by retail of alcohol</b>							
<b>Standard timings (On sales)</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1200	1200	1200	1200	1200	1200	1200
Finish	0200	0200	0200	0200	0200	0200	0200
<b>Standard timings (Off sales)</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1200	1200	1200	1200	1200	1200	1200
Finish	2300	2300	2300	2300	2300	2300	2300
The sale of alcohol is licensed for consumption both on and off the premises.							
<b>Seasonal variations and Non-standard Timings:</b>							
<u>New Year:</u> From the start time on New Year's Eve to the terminal hour for New Year's Day.							
<u>On the day British Summer Time commences:</u> One additional hour following the terminal hour.							
Valentine's Day, St Patrick's Day, St George's Day, Christmas Eve, Christmas Day, Boxing Day, New Year's Day, Maundy Thursday and Friday, Saturday, Sunday and Monday of each Bank Holiday shall have a terminal hour of 03:00.							

<b>Recorded music</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1200	1200	1200	1200	1200	1200	1200
Finish	0200	0200	0200	0200	0200	0200	0200

Licensed to take place indoors only.

**Seasonal variations and Non-standard Timings:**  
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.  
On the day British Summer Time commences: One additional hour following the terminal hour.  
 Valentine's Day, St Patrick's Day, St George's Day, Christmas Eve, Christmas Day, Boxing Day, New Year's Day, Maundy Thursday and Friday, Saturday, Sunday and Monday of each Bank Holiday shall have a terminal hour of 03:00.

<b>Hours premises are open to the public</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1200	1200	1200	1200	1200	1200	1200
Finish	0230	0230	0230	0230	0230	0230	0230

**Seasonal variations and Non-standard Timings:**  
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.  
On the day British Summer Time commences: One additional hour following the terminal hour.  
 Valentine's Day, St Patrick's Day, St George's Day, Christmas Eve, Christmas Day, Boxing Day, New Year's Day, Maundy Thursday and Friday, Saturday, Sunday and Monday of each Bank Holiday shall have a terminal hour of 03:30.

## Part 2

<b>Details of premises licence holder</b>	
<b>Name:</b>	Mrs Karen John
<b>Address:</b>	[REDACTED]

<b>Details of designated premises supervisor where the premises licence authorises for the supply of alcohol</b>	
<b>Name:</b>	Terry Watson
<b>Address:</b>	[REDACTED]
<b>Personal Licence number:</b>	[REDACTED]
<b>Issuing Authority:</b>	[REDACTED]

<b>Annex 1 – Mandatory conditions</b>
<p><b>Door Supervisors</b></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"> <li>(a) Unauthorised access or occupation (e.g. through door supervision),</li> <li>(b) Outbreaks of disorder, or</li> <li>(c) Damage,</li> </ul> <p>unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.</p> <p><b>Supply of alcohol</b></p> <p>2. No supply of alcohol may be made under this premises licence:</p> <ul style="list-style-type: none"> <li>(a) At a time when there is no designated premises supervisor in respect of the premises licence or,</li> <li>(b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.</li> </ul>

3. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
- (a) a holographic mark, or
- (b) an ultraviolet feature.
5. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
- (2) For the purposes of the condition set out in (1) above–
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) “permitted price” is the price found by applying the formula–
- $$P = D + (D \times V)$$
- where –
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
8. The responsible person must ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

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

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

1. The Challenge/Think 21 policy shall be implemented in full and the appropriate identification shall be sought from any person who appears under the age of 21.
2. Notices shall be displayed in prominent positions at the premises indicating that the Challenge/Think 21 policy is in force.
3. Staff training shall include the Challenge/Think 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. The training shall be given to a new member of staff before they commence paid employment and all staff shall be retrained twice yearly. All training shall be documented.
4. The premises shall prominently display posters detailing the criminal offences that can be committed by purchasing or attempting to purchase alcohol for a person who is under the age of 18. The notices shall also include a warning that a financial penalty may be imposed on conviction of such an offence.
5. A refusal book shall be kept at the premises and this shall be checked each week by either the premises licence holder or the designated premises supervisor. The aim of the check is to ensure that staff are accurately recording refusals.
6. The refusal book shall be open to inspection by appropriate officers of Responsible Authorities.
7. A written record shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as security personnel in a register kept for that purpose. That record shall contain the following details:-
  - (i) the door supervisor's name, date of birth and home address;
  - (ii) his/her Security Industry Authority licence number;
  - (iii) the time and date he/she starts and finishes duty;
  - (iv) the time of any breaks taken whilst on duty;
  - (v) each entry shall be signed by the door supervisor.

That register shall be available for inspection on demand by officers from Responsible Authorities.
8. Management and staff shall ensure that persons leaving the licensed premises conduct themselves in an orderly manner and do not in any way cause annoyance to residents and/or persons passing by. Security Personnel to wear Hi-Vis jackets to assist dispersal.
9. Signs shall be displayed at the exits from the premises requesting that customers respect local residents and leave the premises in a quiet manner.
10. Local taxi numbers shall be available for customers to assist in ordering a taxi.
11. The Designated Premises Supervisor shall contact GMP at least 28 days prior to any externally promoted event so that the event can be properly risk assessed as required.
12. A digital hard drive CCTV system shall be in operation to cover internal and external areas of the premises; any area where customers have legitimate access shall be sufficiently illuminated for the purposes of CCTV.
13. All CCTV recorded images shall have sufficient clarity / quality / definition to enable facial recognition.
14. CCTV shall be kept in an unedited format for a period of 28 days, any DVD's subsequently produced shall be in a format so it can be played back on a standard personal computer or standard DVD player.
15. Any person left in charge of the premises shall be trained in the use of any such CCTV equipment and able to produce / download / burn CCTV images upon request by a person from a responsible authority.
16. CCTV shall be maintained on a regular basis and kept in good working order. CCTV maintenance records to be kept details of contractor used and work carried out to be recorded.
17. Where the recording is on a removable medium (i.e. videotape, compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

18. Management shall ensure that any person who tries to gain entry to the premises who is involved in disorderly conduct or antisocial behaviour outside the premises shall not be permitted entry to the premises. The premises licence holder or Designated Premises Supervisor shall ensure that any person within the premises who is involved in disorderly conduct or antisocial behaviour inside the premises shall be removed from the premises.
19. Management shall not allow to enter or to allow to remain in the premises any person who is notified to the Designated Premises Supervisor by Greater Manchester Police as being a person of bad character by way of association to other persons or by convictions at court.
20. Prior to any drinks promotion being held at the premises the Premises Licence Holder or Designated Premises Supervisor shall liaise with GMP so the promotion can be fully risk assessed.

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

1. SIA registered door staff shall be on duty at a ratio of 1:100 from 2100 hrs until close on Friday and Saturday night, during every night of Pride, New Year's Eve, Boxing Day Night, and every Thursday or Sunday which precedes a Bank Holiday. Whilst on Duty all door staff shall wear Hi-Viz jackets.
2. During the Pride Festival, no drinks will be served in glass.
3. Open Containers of alcohol shall not be removed from the premises, save for any external area for the use of customers of the premises.
4. No drink shall be sold from a bar by staff service or consumed in or on the premises other than in a container made from non-splintering plastic, paper or shatterproof glass.
5. Regular written risk assessments shall be carried out in respect of all activities that take place at the premises.
6. Fire-fighting equipment shall be maintained and serviced according to the manufacturer's instructions.
7. Amplified regulated entertainment shall not be played at such a level so as to cause a nuisance at the nearest residential property.
8. A tamper proof noise-limiting device shall be fitted to the sound system within the premises; all music played at the premises must pass through this sound limiter.
9. Only those taxi firms using ring back schemes shall be promoted within the premises.
10. There shall be no disposal of bottles into external receptacles between the hours of 2100 and 0700.
11. No glassware shall be collected from the premises between the hours of 2100 and 0700.
12. No person under the age of 18 shall be permitted on the premises at any time the premises is open to the public.
13. Appropriate signage regarding use of CCTV shall be displayed in conspicuous positions.

### **Annex 4 – Plans**

See attached



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

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**MANCHESTER  
CITY COUNCIL**

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

**Application to vary a premises licence under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I/We **Karen John**

*(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 246259**

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
Iconic Bar 29 Richmond Street			
Post town	Manchester	Postcode	M1 3LZ

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

**Part 2 – Applicant details**

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

**Part 3 - Variation**

Please tick as appropriate

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

Yes

No

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

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

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

Extend licensed hours Sunday to Thursday from 02:00 to 03:00hrs for sale of alcohol and recorded music

Extend licensed hours Friday and Saturday from 03.00 to .4.00hrs for sale of alcohol and recorded music

To add off sales to current license

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

**Part 4 Operating Schedule**

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

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

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

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

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

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

**A**

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

**B**

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

**C**

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			
Fri			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 (please read guidance note 5)
Sat			
Sun			



D

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

**E**

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

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	1200	0300			
Tue	1200	0300	State any seasonal variations for the playing of recorded music (please read guidance note 4) <u>New Year:</u> From start time on New Year's Eve to the terminal hour for New Year's Day		
Wed	1200	0300			
Thur	1200	0300	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	1200	0400			
Sat	1200	0400	On the day British Summer Time commences: One additional hour following the terminal hour. Valentine's Day, St. Patrick's Day, St. Georges Day, Christmas Eve, Christmas Day, Boxing Day, Maundy Thursday and Friday, Saturday, Sunday and Monday of each Bank Holiday shall have a terminal hour of 04:00		
Sun	1200	0300			

## G

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

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 3)		
Wed					
Thur					
Fri			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)		
Sat					
Sun			<b>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</b> (please read guidance note 5)		

I

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



J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<p><b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)</p> <p>New Year: From start time on New Year's Eve to the terminal hour for New Year's Day</p> <p><b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)</p> <p>On the day British Summer Time commences: One additional hour following the terminal hour. Valentine's Day, St. Patrick's Day, St. Georges Day, Christmas Eve, Christmas Day, Boxing Day, Maundy Thursday and Friday, Saturday, Sunday and Monday of each Bank Holiday shall have a terminal hour of 04:00</p>		
Mon	1200	0300			
Tue	1200	0300			
Wed	1200	0300			
Thur	1200	0300			
Fri	1200	0400			
Sat	1200	0400			
Sun	1200	0300			

K

<p><b>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</b> (please read guidance note 8).</p>
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L

<p><b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)</p>			<p><b>State any seasonal variations</b> (please read guidance note 4)</p> <p><u>New Year</u>: From start time on New Year's Eve to the terminal hour for New Year's Day</p>
Day	Start	Finish	<p><b><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></b> (please read guidance note 5)</p> <p><u>On the day British Summer Time commences</u>: One additional hour following the terminal hour. Valentine's Day, St. Patrick's Day, St. Georges Day, Christmas Eve, Christmas Day, Boxing Day, Maundy Thursday and Friday, Saturday, Sunday and Monday of each Bank Holiday shall have a terminal hour of 04:30</p>
Mon	1200	0330	
Tue	1200	0330	
Wed	1200	0330	
Thur	1200	0330	
Fri	1200	0430	
Sat	1200	0430	
Sun	1200	0330	

Please identify those conditions currently imposed on the license 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.

Our current license has been lost I'm sorry

**M**

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

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

DPS and General Manager are Personal license holders  
 Licensed SIA door staff  
 CCTV  
 Risk Assessments updated  
 Over 18 entry policy  
 Challenge 25  
 Respect Our Neighbours Signage

We will continue to have licensed SIA door staff to the new terminal hour under the mandatory conditions and conditions set out in Annex 3. We also have CCTV within the venue and external camera's covering the frontage

**b) The prevention of crime and disorder****c) Public safety**

We will continue with our current measures that are in place, our risk assessment, fire risk assessment have been update in anticipation of our new licenced hours.

**d) The prevention of public nuisance**

We will continue with our policy of keeping noise levels to a minimum by having a dedicated smoking area and by having people leave in a quiet and courteous manner, our SIA door staff will also monitor this on Fridays and Saturdays.

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

We will continue to operate a strict over 18 policy and we also operate the Challenge 25 policy

Checklist:

**Please tick to indicate agreement**

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

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

**Part 5 – Signatures** (please read guidance note 10)

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

Signature		
Date		
Capacity		

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

Signature	
Date	
Capacity	

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

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)			
<b>Post town</b>		<b>Post code</b>	
<b>Telephone number (if any)</b>			
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>			

## Notes for Guidance

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

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

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

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

Name	Iconic Bar
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	<a href="mailto:Margaret.lewis@manchester.gov.uk">Margaret.lewis@manchester.gov.uk</a>
Telephone Number	0161 234 1220 07795010291

Premise Details	
Application Ref No	265361
Name of Premises	Iconic Bar
Address	Iconic Bar, 29 Richmond Street, Manchester, M1 3LZ

Representation	
Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.	
<p>Licensing and out of hours team (LOOHT) have assessed the likely impact of granting the licence, taking into account a numbers of factors, including, the nature of the area in which the premises is located, the hours applied for and any potential risk that the granting of this application could undermine the licensing objective.</p> <p>This is a new Licence for an existing premises, as they are looking at extending the hours of the licensable activities and the hours they are open to the public. They however have not offered any conditions or an operating schedule of how they would meet the licensing objectives below;</p> <ul style="list-style-type: none"> <li>• <i>Prevention of Crime and Disorder</i></li> <li>• <i>Public Safety</i></li> <li>• <i>Prevention of Public Nuisance</i></li> <li>• <i>Protection of Children from Harm</i></li> </ul> <p>LOOH would have at least expected to see the existing conditions attached and also some others given the later hour of trading such as last entry times. With these not being addressed we ask that the application be refused.</p>	
Recommendation:	Refuse Application

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## Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> <li>1. The premises shall ensure that noise levels to a minimum by having a dedicated smoking area and by having people leave in a quiet and courteous manner. SIA door staff will monitor this on Fridays and Saturdays.</li> <li>2. The Challenge 25 policy shall be implemented in full and the appropriate identification shall be sought from any person who appears under the age of 25. Notices shall be displayed in prominent positions at the premises indicating that the Challenge 25 policy is in force.</li> <li>3. Respect Our Neighbours signage shall be displayed at the premises.</li> </ol>	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
None	Not applicable	

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