



Licensing Sub Committee Hearing Panel

Date: Tuesday, 1 March 2022
Time: 10.10 am (or at the rise of the Licensing & Appeals
Sub-Committee Hearing Panel)
Venue: Council Chamber, Level 2, Town Hall Extension

Everyone is welcome to attend this 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, Connolly and Evans

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 - Transit, Unit 4, ABC Building, 21-23 Quay Street, Manchester, M3 4AE

5 - 122

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

5. Review of a Premises Licence - Bluu, 777 Moston Lane, Manchester, M40 5RJ

123 - 162

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

Information about the Committee

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

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

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

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

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

Smoking is not allowed in Council buildings.

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

Further Information

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

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**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 1 March 2022

Subject: Transit, Unit 4, ABC Building, 21-23 Quay Street, Manchester, M3 4AE
- App ref: Premises Licence (new) 268014

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
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Name: Bryan Johnson
Position: Technical Licensing Officer
Telephone: 0161 234 1248
E-mail: premises.licensing@manchester.gov.uk

Background documents (available for public inspection):

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

1. **Introduction**

- 1.1 On 17/12/2021, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Transit, Unit 4, ABC Building, 21-23 Quay Street, Manchester, M3 4AE 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 All Work and Social Limited.
- 2.3 The description of the premises given by the applicant is: 'Bar & restaurant'
- 2.4 The proposed designated premises supervisor is Mr Anthony Powell.

2.5 **The licensable activities applied for:**

Provision of regulated entertainment (recorded music):

Sun to Wed 10am to 1am, Thu 10am to 2am, Fri to Sat 10am to 3am

Provision of late-night refreshment:

Sun to Wed 11pm to 1am, Thu 11pm to 2am, Fri to Sat 11pm to 3am

The supply of alcohol for consumption both on and off the premises:

Sun to Wed 10am to 1am, Thu 10am to 2am, Fri to Sat 10am to 3am

Opening hours:

Sun to Wed 10am to 1.30am, Thu 10am to 2.30am, Fri to Sat 10am to 3.30am

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

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

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

2.6 **Activities unsuitable for children**

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

2.7 **Steps to promote the licensing objectives**

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

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

3. **Relevant Representations**

3.1 A total of 15 relevant representations were received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

Responsible Authorities:

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

Other Persons:

- Residents (x 13).

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	<p>Representation submitted against the application on the likelihood that, should the application be granted in its current form, the Licensing objectives relating to the prevention of crime and disorder, the prevention of public nuisance and the upholding of public safety would be negatively impacted upon.</p> <p>GMP are requesting the imposition of extra conditions to ensure the Licensing Objectives</p>	Grant with conditions

	are upheld and enforced at the premises.	
Licensing and Out of Hours Compliance	<p>Licensing Out of Hours and Compliance Team believe that there exists scope for the Licensing Objective relating to the prevention of public nuisance being adversely impacted upon, should the application be granted in its initial form.</p> <p>They request extra conditions to allay their concerns and contribute positively towards the upholding of the Four Licensing Objectives.</p>	Grant with conditions
Residents (x13)	<p>The general consensus amongst all of those Private Residents is that the siting of a licensed premises, offering alcohol sales until the hours and in the location as applied for, would/will add further to the existing public nuisance and antisocial behaviour incidents that they state are currently affecting the area.</p> <p>Allowing such operating/sale of alcohol timings would be/is inappropriate for such a densely populated residential area and there have been references made by several objectors to historical antisocial behaviour incidents that have caused distress and inconvenience to a large number of local residents. Several residents have made a request that the applied for operating timings be drawn back to more socially acceptable 'pub hours' (i.e. sale of alcohol timings ceasing at 11.00pm each evening).</p> <p>A number of residents also believe that allowing a premises to operate until the timings as applied for would/will create issues in regard to the Licensing Objective relating to the protection of children from harm (as there are a substantial number of families with small children residing immediately adjacent to the proposed trading location).</p> <p>Some of residents are requesting amended operating timings for the premises/application, and some are also requesting that the application be refused outright.</p>	Grant with amended operating timings / Refuse

- 3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.
- 3.4 Agreements on conditions have been reached with Greater Manchester Police and The Licensing Out of Hours and Compliance Team.

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:

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

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

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

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

Conclusion

- 4.6 A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 4.7 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council's licensing policy statement.
- 4.8 Having regard to the representations, the Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to:
 - i. the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate, and
 - ii. any mandatory conditions that must be included in the licence;
 - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
 - c) To refuse to specify the person proposed in the application as the designated premises supervisor;

d) To reject the application.

- 4.9 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 4.10 All licensing determinations should be considered on the individual merits of the application.
- 4.11 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 4.12 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 4.13 **The Panel is asked to determine the application**

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Transit
Unit 4, ABC Building, 21-23 Quay Street, Manchester,
M3 4AE

Premises Licensing
Manchester City Council

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Survey100019568.



PREMISE NAME:	Transit
PREMISE ADDRESS:	Unit 4, ABC Building, 21-23 Quay Street, Manchester, M3 4AE
WARD:	Deansgate
HEARING DATE:	07/02/2022

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 All Work and Social 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 Transit Unit 4, ABC Building 21-23 Quay Street			
Post town	Manchester	Postcode	M3 4AE
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£0.00	

Part 2 - Applicant details

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

- | | | | |
|----|--|-------------------------------------|-----------------------------|
| a) | an individual or individuals * | <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 All Work and Social Limited
Address C/O Allied London Suite 1, Bonded Warehouse 18 Lower Byrom Street Manchester M3 4AP
Registered number (where applicable) 11120030
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company

Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	50	1 2 02 2

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)
Bar and restaurant.

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 type="checkbox"/>
b) films (if ticking yes, fill in box B)	<input type="checkbox"/>
c) indoor sporting events (if ticking yes, fill in box C)	<input type="checkbox"/>
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>
e) live music (if ticking yes, fill in box E)	<input type="checkbox"/>
f) recorded music (if ticking yes, fill in box F)	<input 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 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"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<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					
Sun					

B

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

C

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<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								
Wed						<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur								
Fri						<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)		
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"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
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 6)		
Sat					
Sun					

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 checked="" type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon	10:00	01:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	10:00	01:00			
Wed	10:00	01:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	10:00	02:00			
Fri	10:00	03:00	<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) <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 to disapply its effect.		
Sat	10:00	03:00			
Sun	10:00	01:00			

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

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				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
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 5)		
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 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	23:00	01:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	23:00	01:00			
Wed	23:00	01:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23:00	02:00			
Fri	23:00	03:00	<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) <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 to disapply its effect.		
Sat	23:00	03:00			
Sun	23:00	01:00			

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	10:00	01:00			
Tue	10:00	01:00			
Wed	10:00	01:00			
Thur	10:00	02:00			
Fri	10:00	03:00			
Sat	10:00	03:00			
Sun	10:00	01:00	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) <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 to disapply its effect.		

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 Anthony Powell	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

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

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	08:00	01:30	
Tue	08:00	01:30	
Wed	08:00	01:30	
Thur	08:00	02:30	<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> <p><u>New Year:</u> From the start time on New Year's Eve to the terminal hour for New Year's Day.</p> <p><u>On the day British Summer Time commences:</u> One additional hour following the terminal hour to disapply its effect.</p>
Fri	08:00	03:30	
Sat	08:00	03:30	
Sun	08:00	01:30	

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 Operating Schedule and Policies (attached).

b) The prevention of crime and disorder

Please refer to Operating Schedule and Policies (attached).

c) Public safety

Please refer to Operating Schedule and Policies (attached).

d) The prevention of public nuisance

Please refer to Operating Schedule and Policies (attached).

e) The protection of children from harm

Please refer to Operating Schedule and Policies (attached).

Checklist:**Please tick to indicate agreement**

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

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

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) ██████████			

Notes for Guidance

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. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for ‘not-for-profit’ film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and

- (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the 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.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. 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.
 8. 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'.
 9. 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.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.
- 15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,

- (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
- (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
- (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

OPERATING SCHEDULE

Staff shall be trained in the requirements of the Licensing Act 2003 with regard to the Licensing Objectives.

A) The Prevention of Crime and Disorder

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. When employed, door staff will wear high visibility armbands.
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 laws relating to under age sales, 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.

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 occupants of nearby premises.
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. The exterior of the building shall be cleared of litter at regular intervals.
4. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
5. Doors and windows at the premises are to remain closed after 11pm, save for access and egress.
6. A Dispersal and Smoking Policy will be implemented and adhered to (see attached). **[NB: is this appropriate to the type of premises?]**
7. The emptying of bins into skips, and refuse collections will not take place between 11pm and 7am.

D) The Protection of Children From Harm

1. 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 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.
2. Staff training 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. 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.
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.

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.)
5. We will actively discourage our customers from assembling outside the premises at the end of the evening.

SMOKING POLICY

1. Any outside area used by customers wishing to 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.

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

Document is Restricted

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GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	PC Alan Isherwood
Address including postcode	1 st Floor Manchester Town Hall Extension Lloyd Street Manchester
Contact Email Address	[REDACTED]
Contact Telephone Number	[REDACTED]

About the Premises

Application Reference No.	LPA 268014
Name of the Premises	Transit
Address of the premises including postcode	Unit 4, ABC Building, 21-23 Quay Street, Manchester M3 4AE

Your Representation

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

Please accept this as formal notification of the Greater Manchester Police objection to the premises licence application in relation to the above premises on the grounds of the Prevention of Crime and Disorder, the Prevention of Public Nuisance and Public Safety.

The application is seeking to allow the premises to sell alcohol until 3am Friday and Saturday with a closing time of 0330hrs and GMP believe that the operating schedule offered by the applicant needs to be more robust and have further conditions included.

Therefore if this application was granted GMP would ask that the following conditions are attached to the premises licence to decrease the likelihood of the Licensing Objectives being undermined.

On Friday and Saturday SIA registered door staff shall be employed at the premises at a ratio of 1:100 from 2100 hours until 30 minutes after close to assist with the orderly dispersal of customers. At all other times the requirement for doorstaff shall be determined in accordance with a risk assessment carried out by the DPS. When employed doorstaff shall wear hi-vis armbands.

From 2100 hours each day the NiteNet radio system shall be operated at the premises.

At least one member of door staff situated at the entrance to the premises shall wear and use a body cam to capture incidents of violence and/or anti- social behavior.

Premises licence application - Transit, Unit 4, ABC Building, 21-23 Quay St, Manchester, M3 4AE (ALL280/2)

From: Alan.Isherwood [REDACTED]

Sent: 20 January 2022 16:31

To: [REDACTED] Premises Licensing

Cc: [REDACTED]

Subject: RE: Premises licence application - Transit, Unit 4, ABC Building, 21-23 Quay St, Manchester, M3 4AE (ALL280/2)

Dear All,

In view of the email from [REDACTED] in which the conditions requested by GMP are agreed I now wish to withdraw my representation.

Kind Regards

Alan

.....

From: [REDACTED]

Date: 20/01/2022 16:15 (GMT+00:00)

To: Alan Isherwood [REDACTED]

Cc: [REDACTED]

Subject: Premises licence application - Transit, Unit 4, ABC Building, 21-23 Quay St, Manchester, M3 4AE (ALL280/2)

Good afternoon Alan,

I hope you are well.

We have been provided a copy of the representation you have made on behalf of Greater Manchester Police, in response to the premises licence application for All Work and Social Limited at the address Unit 4, ABC Building, 21-23 Quay Street, Manchester M3 4AE. Having taken instructions from our client, we can confirm that your proposed conditions are agreed and the operating schedule, a copy of which is attached, has been amended to stipulate as follows.

C5 SIA registered door staff shall be employed at the premises at a ratio of 1:100 from 21:00 hours until 30 minutes after the terminal hour. At all other times, the requirement for SIA registered door staff shall be determined in accordance with a risk assessment carried out by the DPS. When employed, door staff will wear high visibility armbands.

B5 From 21:00 hours each day, the NiteNet radio system shall be operated at the premises.

B6 At least one member of door staff situated at the entrance to the premises shall wear and use a body cam to capture incidents of violence and/or antisocial behaviour.

We trust this to be satisfactory but please kindly confirm that GMP are happy with the amended operating schedule and the representation will now be withdrawn.

Should you wish to discuss matters further, please do contact us.

Kind regards,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

Name	Lorraine Bambrick
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	M/268014
Name of Premises	Transit
Address	Unit 4, ABC Building, 21-23 Quay Street, Manchester, M3 4AE

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.

As an officer of the Licensing & Out of Hours Team, I assessed the premises licence application for Transit.

The new premises is located in the city centre, in proximity to the office blocks and licensed premises of Spinningfields, as well as other licensed premises on Quay Street. Residential properties are also located nearby, [REDACTED]

Taking these factors into account, I assessed there was a risk of the licensing objective Prevention of Public Nuisance being undermined without further conditions being applied to the licence.

These additions are set out below and have been agreed with the applicant:

- No speakers to be mounted externally
- Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays. Where Sunday/Bank Holiday deliveries etc. are permitted the times shall be confined to 10:00 to 18:00. (this reflects planning conditions for this premises)
- All staff training shall be documented

Recommendation:

Approve with Conditions (Outlined Above)

From: Lorraine Bambrick [REDACTED]
Sent: 05 January 2022 16:12
To: Premises Licensing [REDACTED]
Cc: [REDACTED] >
Subject: M/268014 Transit - Representation agreed & withdrawn

Good afternoon,

Please see the representation attached in respect of the new licence application for Transit, Quay St. I confirm that as shown in the email trail below, the amendments have been agreed with the solicitor acting for the applicant. I therefore withdraw the representation.

The attached operating schedule has been provided by the applicant and it reflects the agreed changes:

C3 - No speakers shall be mounted externally

C8 - The emptying of bins into skips, and refuse collections will not take place between 07:30 and 20:00 Monday to Saturday with no collections on Sundays/Bank Holidays. Where emptying of bins into skips and refuse collections are permitted on Sunday/Bank Holidays, the times will be confined to between 10:00 and 18:00.

D3 - All staff training shall be documented

Kind Regards,
Lorraine Bambrick

[REDACTED]

[REDACTED]

[REDACTED]

Objection the licencing application for 'TRANSIT' (ABC BUILDING)

From: [REDACTED]

Sent: 05 January 2022 13:10

To: Premises Licensing [REDACTED]

Subject: Objection the licencing application for 'TRANSIT' (ABC BUILDING)

I am an owner occupier [REDACTED] I would like make a formal objection to this application on the grounds that it will cause noise and disruption to the wellbeing to the residents [REDACTED]. The premises are very nearby to our block and we know from experience (when there was a sports bar in that block some years ago) how bad things can be. There was fighting and even a fatality on our doorstep (literally) It is not the right location for a late night bar with music as it is too close to a residential area [REDACTED] I am very concerned about noise, antisocial behaviour and crime and disorder. Please note my objection to this application.

[REDACTED]

Transit - licensing application

From: [REDACTED]
Sent: 05 January 2022 13:46
To: Premises Licensing [REDACTED]
Subject: Transit - licensing application

Hi,

As a resident [REDACTED] I would like to object against the licensing application for this location.

This is directly outside our building, we already have many disruptions to contend with and I believe a 3am licence is too late for this area.

I know this will cause concern for a lot of the residents [REDACTED]

Please let me know if you require anything further from myself.

Thanks

[REDACTED]

Sent from my iPhone

Premises License Application 268014/BJ1

From: [REDACTED]

Sent: 05 January 2022 14:27

To: Premises Licensing [REDACTED]

Subject: Premises License Application 268014/BJ1

Hi there,

I am writing to argue against the granting of a new premises license as outline in application 268014/BJ1 for the address: Transit, Unit 4, ABC Building, 21-23 Quay Street, Manchester, M3 4AE. On a personal note, I am [REDACTED] and I am fully aware of the dangers posed by late night venues both to customers as well and the local area.

I am currently a resident [REDACTED] and am very much against the idea of a new late-night venue so close to where I live and regarding the licensable activities I object with the following:

The prevention of crime and disorder - late night venues serving alcohol bring with them potential violence, illegal drug activity and criminal damage to surrounding properties and cars. The late license to serve alcohol would only increase the likelihood of late-night incidents with the majority of customers under the influence from alcohol (and possibly illegal drugs) when leaving the venue when it closes at 3.30am or when alcohol is no longer being served at 3am on weekends.

Public safety - large crowds will be present when the venue closes on the pavement and spilling on to Quay Street or Lower Byrom Street endangering themselves and road users. With 20 Stories, The Ivy and The Lawn Club all in close proximity to the proposed new venue there will be intoxicated crowds in the same area creating an unsafe environment where different groups will congregate and potential for violence will increase

The prevention of public nuisance - the provision of late-night entertainment will have a detrimental impact on local residents and the late closing times of 1.30am/2am during the week and 3.30am at weekends will cause noise levels to increase and disrupt local residents when the venue is emptied, and all customers gather at the entrance/exit. Recorded music being played throughout the day and night will disrupt local residents and families and those key workers who work day and night shifts. The application for alcohol consumed on and off the premises could lead to public consumption of alcohol on the street if customers are allowed to leave with drinks causing nuisance to the public using Quay Street and Lower Byrom Street and endangering the public and road users.

The protection of children from harm - any broken glass or discarded drugs or drug paraphernalia could be used/ingested by children around Quay Street & Lower Byrom Street. The opening times from 10am will expose children to day-time customers and early alcohol consumption increasing the likelihood of a drink or drug related incident in the presence of children who are on Quay Street or Lower Byrom Street during the day. The theatre on Quay Street is very popular with families for afternoon and weekend shows and

they could be incidents where children are exposed to violence or the effects of illegal drugs.

How many SIA Door Supervisors would be required to ensure staff, customers and the public are safe during the opening hours? What are the applicants planning to do to reduce these risks mentioned above?

A license granted to this venue in its current form would have a detrimental impact on the local area and local residents and would have many negative consequences due to the licensable activities applied for and should not be granted.

Kind regards,

██████████

Objection to Transit Application Type: Premises Licence (new) Reference: 268014/BJ1

From: [REDACTED]
Sent: 05 January 2022 14:31
To: Premises Licensing [REDACTED]
Cc: William Jeavons [REDACTED] Marcus Johns
[REDACTED] Joan Davies [REDACTED]
Subject: Objection to Transit Application Type: Premises Licence (new) Reference: 268014/BJ1

Dear Sir/Madam

RE: Transit, Application Type: Premises Licence (new); Reference: 268014/BJ1, Premises: Transit, Unit 4, ABC Building, 21-23 Quay Street, Manchester, M3 4AE

I wish to object to the application [REDACTED]
[REDACTED]

1am, 2am and 3.30am 7 nights a week is unacceptable in Lower Byrom Street, which is now, after years of redevelopment, predominantly residential. The proposed development is in a building that has historically been entirely used for office space and has posed no threat to the residential nature of the neighbourhood.

We have clearly seen the failure of Greater Manchester Police to adequately police this area in recent weeks. See the picture attached of the scene last week in Great John Street, just around the corner from the proposed applicant's premises. This was an early morning criminal activity of the type that will happen with the inevitable drunkenness and public disorder caused by 12-3am drinking.

Establishments DO NOT CARE what happens outside of their doors and yet they routinely throw their drunk patrons into the street to do as they will, after willingly intoxicating them. The resulting damage and antisocial behaviour is not a cost that should be borne by neighbours.

Crime and disorder will increase in an area already neglected by police.

Public safety will be impacted as residents are under threat of attack by inebriated patrons and the inevitable broken glass, drug paraphernalia and bodily waste.

Public nuisance will be intolerable - traditional pub hours to 11pm are appropriate in a residential area, not 1-3.30am. There is no respite - this establishment is looking for 7 days of operation to extremely late hours. There will inevitably be noise issues arising from the music.

Prevention of children from harm - the amount of illegal drug detritus, broken glass and residues from vomiting, urination and even faecal matter around entertainment venues in central Manchester is a disgrace. This is a residential area, and there are many

families [REDACTED], including with young children. These families make a car-free, environmentally-friendly economic contribution to central Manchester. Why should this be undone by wholly unreasonable operating hours.

This application approval should be maximum for traditional pub hours of 11pm.

Warm regards

[REDACTED]

[REDACTED]
[REDACTED]

License application objection

From: [REDACTED]
Sent: 05 January 2022 14:42
To: Premises Licensing [REDACTED]
Cc: William Jeavons [REDACTED] Marcus Johns
[REDACTED] Joan Davies [REDACTED]
Subject: License application objection

Dear Sir/Madam,

I understand that ABC [REDACTED] on Lower Byrom Street/Quay Street) has requested a licence to play music & serve alcohol until 2am (weekdays), and until 3am (weekends). Are you able to confirm this please?

[REDACTED]
[REDACTED] I am therefore concerned by the potential for increased noise, disturbance and disruption this will cause residents [REDACTED].

If this licence were approved, it would significantly adversely impact our quality of life [REDACTED]
[REDACTED]

Some people who have been drinking alcohol might be more likely to make poor decisions for example regarding taking drugs, (attracting criminals to supply them), drunk driving, (potentially causing accidents), fighting or getting into arguments (affecting public safety), making more noise when leaving in the small hours causing a nuisance and disruption to sleep and well being, to say nothing of the potentially negative impact on property value.

The area is currently characterised by residential property, a park, museum, office space, the Opera house, and local services (eg small supermarkets). The granting of this sort of late license would change the character of the area negatively and potentially invite the co-location of additional late-licensed businesses, further encouraging crime and disorder, jeopardising public safety, causing a public nuisance.

I appreciate the attraction of this type of business but suggest it would be better located close to similar businesses and not in a residential area.

Thank you for your consideration,

[REDACTED]

Sent from my iPhone

Application 268014/BJ1 - letter of objection

From: [REDACTED]
Sent: 05 January 2022 20:18
To: Premises Licensing [REDACTED]
Cc: William Jeavons [REDACTED]; Joan Davies
[REDACTED]; Marcus Johns [REDACTED]
Subject: Application 268014/BJ1 - letter of objection

Dear Sir / Madam

[REDACTED] I am writing to object to the licensing application for the ABC building.

Crime and disorder: This building used to house the sports bar before it's renovation and was the scene of multiple crimes, antisocial behaviour and disorder on the street late into the evening. We already have problems with fast cars on Lower Byrom Street and drug/drink driving. This addition to the building will add to these problems.

Public nuisance: The on-street noise, the emptying of glass bins early in the morning, the music playing until 3am (even to 2am on weekdays) will cause a nuisance for around 150 People who live on the apartments. It will also increase traffic - taxis and cars at peak times.

Protection of children: There are numerous families living in the building and this would be highly disruptive to their sleep and wellbeing.

The application paperwork doesn't hold enough information about the location of the bar and restaurant and it's a shame the property hadn't consulted [REDACTED] more actively.

Please consider the life and wellbeing of residents of our block as part of this application.

Yours,

[REDACTED]
[REDACTED]
[REDACTED]

268014/BJ1 Premises: Transit, (OBJECT ABC Building venue)

From: [REDACTED]
Sent: 05 January 2022 21:14
To: Premises Licensing [REDACTED]
Cc: Joan Davies [REDACTED]; Marcus Johns
[REDACTED]; William Jeavons
[REDACTED]
Subject: 268014/BJ1 Premises: Transit, (OBJECT ABC Building venue)

To whom it may concern,

I have just been informed of the proposal for a venue in the ABC building.

I am a resident [REDACTED] and would like to strongly object to this proposal.

[REDACTED]
[REDACTED]

I am disgusted that they think this would be acceptable , the road is already noisy enough as it is with a lot of drunken behaviour. Adding this would cause large damage to the mental health of people living here (including my own)

There would be so much noise and it wouldn't at all be fair on the residents in the surrounding area.

Thanks,

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

Reference: 268014/BJ1 - Licensing Application

From: [REDACTED]
Sent: 06 January 2022 19:08
To: Premises Licensing [REDACTED]
Subject: Reference: 268014/BJ1 - Licensing Application

To the Manchester Licensing Team,

I want to highlight my objection to the licensing application by All Work and Social Limited for the serving of alcohol and provision of music at the following address: Transit, Unit 4, ABC Building, 21-23 Quay Street, Manchester, M3 4AE.

Our local councillors may have made you aware that noise and antisocial behaviour has been an increasing problem for residents [REDACTED] over a number of years. I, along with many residents, now have serious concerns about the licensing request for ABC to operate even later/into the early hours. The Quay Street/St Johns zone is not Spinningfields or Deansgate, it is a high density residential area and ABC is quite literally enclosed by residential apartments on both sides [REDACTED]
[REDACTED]

With respect to how granting the licence would affect the promotion of the licensing objectives, I have set out my concerns below:

*** The prevention of crime and disorder**

Approving this licence would do the opposite to this objective. Serving alcohol so late into the early hours would inevitably increase antisocial behaviour, crime and disorder. Residents have first-hand experience of this growing problem in Spinningfields, and it should not be allowed to extend over into Quay Street/St Johns given the high-density residential setting.

***Public safety**

Approving this licence would do the opposite to this objective. Serving alcohol so late into the early hours would put local residents at risk, many of whom are young, elderly and frail. It is not appropriate for a venue to serve alcohol and play music until 3am when families are trying to go about their day to day lives less than 10m across the road (Lower Byrom Street).

*** The prevention of public nuisance**

Approving this licence would do the opposite to this objective. Serving alcohol and playing music so late into the night directly correlates with the level of public nuisance caused. This may be acceptable to some degree in social areas of the city centre, but the noise, litter and disruption that would imping on 400+ residents in such close proximity to ABC completely undermines the licensing objective.

On a related matter. I am concerned that All Work and Social Limited have not made any effort to proactively contact local neighbours and residents to make us aware of their licensing application. It was sheer good fortune that I noticed a small poster on one of the doors to ABC. However, this was not prominent, and I'm minded to believe that rather than be transparent and open with their application, All Work and Social Limited appear to have done as little as possible ensure minimal scrutiny by those who would be most impacted. The behaviour and approach in which they have operated in requesting the licence does not bode well should it be approved.

I would be most grateful if you could please take my concerns in to account and reject the licensing application, or at least curtail the hours for which any licence is granted. The quality of life and amenity of 400+ residents is at stake with this licensing request

[REDACTED]

Kind regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Reference: 268014/BJ1 - Licensing Application

From: [REDACTED]
Sent: 06 January 2022 20:21
To: Premises Licensing [REDACTED]
Subject: Ref 268014/BJ1 - Licensing Application

To the licensing officer,

I would be most grateful if you could please take my concerns in to account and reject the licensing application, or at least curtail the hours for which any licence is granted. The quality of life and amenity of 400+ residents living close by is at stake with this licensing request to operate at unsuitable and extensive hours.

I wish to highlight my objection to the licensing application by All Work and Social Limited for the serving of alcohol and provision of music at the following address: Transit, Unit 4, ABC Building, 21-23 Quay Street, Manchester, M3 4AE.

Local councillors are also aware of the increasing noise and anti-social behaviour, including noise, vandalism, graffiti, fighting, vomiting and urinating in the street literally outside our homes, not to mention the increase in crime, sadly this behaviour has increased considerably since ABC opened and this has also been an increasing problem for residents [REDACTED] over a number of years. Many residents including myself have serious concerns about the licensing request for ABC to operate even later/into the early hours as Quay St, Lower Byrom Street and St Johns Gardens is not a destination for such late night revellers as Spinningfields is, which itself has many problems despite having its own private security in the area plus each venue has their own door staff and yet there is still many issues for residents at Leftbank.

The area of this application and close vicinity is a high density residential area and ABC is enclosed by residential apartments and homes on both sides. I can also confirm that [REDACTED] residents also concerned by the application.

With respect to how granting the licence would affect the promotion of the licensing objectives, I have set out my concerns below:

*** The prevention of crime and disorder**

Approving this licence would do the opposite to this objective. Serving alcohol so late into the early hours would inevitably increase antisocial behaviour, crime and disorder. Residents have first-hand experience of this growing problem in Spinningfields, and it should not be allowed to extend over into Quay Street/St Johns given the high density and residential setting that has long been there and is established as a family friendly and area of conservation.

***Public safety**

Approving this licence would do the opposite to this objective. Serving alcohol so late into the early hours would put local residents at risk, many of whom are young, elderly and frail. It is not appropriate for a venue to serve alcohol and play music until 3am when families are trying to go about their lives less than 10m across the road [REDACTED]
[REDACTED]

*** The prevention of public nuisance**

Approving this licence would do the opposite to this objective. Serving alcohol and playing music so late into the night directly correlates with the level of public nuisance caused. This may be acceptable to some degree in social areas of the city centre, but the noise, litter and disruption that would imping on 400+ residents in such close proximity to ABC completely undermines the licensing objective.

Please be aware that All Work and Social Limited did not made any effort whatsoever to proactively contact local neighbours and residents to make us aware of their licensing application and only a small poster taped on one of the glass doors to ABC was by chance found by a passing resident. This poster was not at all prominent and they have not been transparent and open with their application as it seems this was their intention to have this A4 piece of paper sellotaped to a window on the outside which could have also been easily ripped off by anyone passing!

All Work and Social Limited appear to have done as little as possible to ensure there is minimal scrutiny by those who would be affected by the granting of this licence. In summary the behaviour of this operator and their approach doesn't bode well and I sincerely hope you will take the above concerns and objections into consideration.

Kind regards,

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

Reference: 268014/BJ1 - Licensing Application

From: [REDACTED]
Sent: 07 January 2022 09:36
To: Premises Licensing [REDACTED]
Cc: Joan Davies [REDACTED]; Marcus Johns [REDACTED]
Subject: Reference: 268014/BJ1 - Licensing Application

Hi

I wish to **object** to the licensing application reference 268014/BJ1. My reasons are as follows:

Prevention of public nuisance

These premises are surrounded by residences [REDACTED] and the noise disturbance created by late-night alcohol would most certainly create public nuisance for local residents. This would be in the form of both noise disturbance and also greater potential for violence.

Protection of children from harm

These residential blocks are well-known for being family-oriented, housing families with young children. Allowing a late-night licence would cause noise disturbance and also create more likelihood of broken glass etc on the surrounding streets which is dangerous for children. Given the new school being built at Great Jackson Street, MCC is promoting family living. Allowing this licence would be completely at odds with that aim.

Hopefully due to the strong public feeling on this issue, you reject the application, or at the very least curtail the opening hours to something more sensible. I don't think it was fair that nearby residents were not notified by letter of this application; if they were, I'm sure there would be even more objection letters.

Thanks

[REDACTED]
[REDACTED]

Deansgate Licence Application Ref. 268014/BJ1

From: [REDACTED]
Sent: 07 January 2022 12:35
To: Premises Licensing [REDACTED]
Cc: William Jeavons [REDACTED]; Marcus Johns [REDACTED]; Joan Davies [REDACTED]
Subject: Deansgate Licence Application Ref. 268014/BJ1

To whom it may concern,

I am writing with respect to the application Ref. 268014/BJ1.

https://secure.manchester.gov.uk/info/200063/licences_and_permissions/610/deansgate_-_current_licence_applications/3

[REDACTED] The noise from the local area has been a real challenge in the past; for instance, the noise from the Great John Street Hotel, especially when they have allowed functions on the roof terrace late at night. Extending the licensing hours for the ABC Building as part of the aforementioned application will compound on the noise levels in the immediate area of our residential building late at night. This will have a significant adverse impact on my quality of life, along with my neighbours in the building. The noise disturbance and sleep disruption would be intolerable if the application to allow the premises to operate until 1 am - 3 am was granted, and would thus be a source of public nuisance.

Additionally, the application would allow the ABC building to serve alcohol until 1 am - 3 am. This would therefore increase the number of persons in the area, potentially inebriated, late at night. This provides a risk to residents as a result of unruly behaviour, which may occur in close proximity to residential areas. There has already been evidence of unruly behaviour in the area in the past, late at night, such as aggressive shouting and other forms of threatening behaviour.

On behalf of all the residents [REDACTED] I ask that you please refuse the licensing request in the interest of minimising public nuisance for the local residents, and in the interest of public safety as well as minimising crime and disorder.

Thank you for taking the time to read this email and I look forward to your response.

Kind regards,

[REDACTED]
[REDACTED]

From: [REDACTED]

Sent: 07 January 2022 16:49

To: Premises Licensing [REDACTED]


Subject: Objection to a licensing

Dear premises licensing team,

I'm [REDACTED] and a resident [REDACTED] I'd like to raise my objection to the licensing application submitted by ABC Building on Lower Byrom street/Quay street. I spend late nights reading and writing at my flat and I'm already annoyed with the noise coming from the construction work nearby during the day. Also, I have concerns regarding my safety.

Please look into this before agreeing to the application and Thank you for your appreciation!


[REDACTED]



I should like to oppose the granting of a licence to the proposed bar and nightclub in the ABC building, Cevay St on the following grounds:

It has been a pleasure to see this building refurbished and reopened to business but a night spot will change the ambience. There might be litter, noise, poor behaviour. This will put a burden on the police, and your long-suffering litter cleaners and cause annoyance to us neighbours.

There are already plenty of bars & night spots at the Deansgate end of Cevay St and it would be a pity to change an at present pleasant area.



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

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Staff shall be trained in the requirements of the Licensing Act 2003 with regard to the Licensing Objectives. 2. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally. 3. Recorded CCTV images shall be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request. 4. CCTV shall 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 shall 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 shall 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. When employed, door staff shall 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"> a) the number of door staff on duty; b) the identity of each member of door staff; c) the times the door staff are on duty. 8. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area. 9. Staff shall be trained in the laws relating to underage sales, and that training shall be documented and repeated at 6 monthly intervals. 10. A refusals book shall be maintained at the premises and made available to an officer of a responsible authority upon request. 11. A first aid box shall be available at the premises at all times. 12. Regular safety checks shall be carried out by staff. 13. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations. 14. The premises shall maintain an Incident Log and public liability insurance. 15. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises. 	N/A	Applicant

Schedule of Licence Conditions

<p>16.No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.</p> <p>17.The exterior of the building shall be cleared of litter at regular intervals.</p> <p>18.Notices shall be positioned at the exits to the building requesting customers to leave in a quiet manner.</p> <p>19.Doors and windows at the premises are to remain closed after 11pm, save for access and egress.</p> <p>20.A Dispersal and Smoking Policy shall be implemented and adhered to (see attached).</p> <p>21.The emptying of bins into skips, and refuse collections, shall not take place between 11pm and 7am.</p> <p>22.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 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.</p> <p>23.Staff training shall 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. The training shall be given to a new member of staff before they commence employment and all staff shall receive refresher training every 6 months.</p> <p>24.Notices advising what forms of ID are acceptable shall be displayed.</p> <p>25.Notices shall be displayed in prominent positions indicating that the Challenge 21 policy is in force.</p>		
Conditions proposed by objectors	Agreed	Proposed by
<p>26.On Friday and Saturday SIA registered door staff shall be employed at the premises at a ratio of 1:100 from 2100 hours until 30 minutes after close to assist with the orderly dispersal of customers. At all other times the requirement for door staff shall be determined in accordance with a risk assessment carried out by the DPS. When employed door staff shall wear hi-vis armbands.</p>	Yes	GMP

Schedule of Licence Conditions

<p>27. From 2100hours each day the NiteNet radio system shall be operated at the premises.</p> <p>28. At least one member of door staff situated at the entrance to the premises shall wear and use a body cam to capture incidents of violence and/or anti- social behavior.</p>		
<p>29. No speakers shall be mounted externally.</p> <p>30. Deliveries, servicing and collections (including waste collections) shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays. Where Sunday/Bank Holiday deliveries etc. are permitted the times shall be confined to 10:00 to 18:00. (this reflects planning conditions for this premises).</p> <p>31. All staff training shall be documented.</p>	Yes	Licensing and Out of Hours

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**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 01/03/2022

Subject: Bluu, 777 Moston Lane, Manchester, M40 5RJ (Review of Premises Licence, App ref - 268475)

Report of: Head of Planning, Building Control & Licensing

Summary

Review of the premises licence under s51 of the Licensing Act 2003

Recommendations

That the Panel, having regard to the application and any relevant representations, take what steps are appropriate for the promotion of the licensing objectives.

Wards Affected: Moston

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: Chloe Tomlinson
Position: Technical Licensing Officer
Telephone: 0161 234 4521
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 2018
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

1. Introduction

- 1.1 On 05/01/2022 an application was made by Trading Standards under s51 of the Licensing Act 2003 for a Review of the Premises Licence for Bluu, 777 Moston Lane, Manchester, M40 5RJ in the Charlestown ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28 day public consultation exercise has been 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 and details of the application to be published on the Council's website.
- 1.3 The licensing authority must hold a hearing to consider an application to review a premises licence and any relevant representations.

2. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Holly Raw on behalf of Trading Standards
- 2.3 The application for a review was submitted on the grounds that the licence holder has failed to uphold the licensing objective of the prevention of crime and disorder.
- 2.4 Further details of the grounds for the review are as follows:
- Tobacco products being held for supply at the premises in contravention of labelling and packaging laws.
- Tobacco products being supplied at the premises in contravention of labelling and packaging laws.
- Non-duty paid and smuggled products being kept at the premises in contravention of Section 144 of the Licensing Act 2003.
- Counterfeit Tobacco products being held for supply at the premises.

3. Current Premises Licence

- 3.1 A copy of the current licence is attached at **Appendix 3**.
- 3.2 The premises licence holder is Iceberg Food Store Ltd who has held the licence since 19/11/2020.
- 3.3 The designated premises supervisor is Lukman Karim who has held this position since 19/11/2020.
- 3.4 The licensable activities permitted by the licence are:
- The sale by retail of alcohol for consumption off the premises only, Monday to Sunday 8am to 8pm.

4. **Relevant Representations**

4.1 Representations may be made for or against a review application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must relate to one or more of the licensing objectives. Representations may be made by the holder of the premises licence, a responsible authority or any other person. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.

4.2 No relevant representations have been received in respect of this application

5. **Additional information**

5.1 No additional information has been received from any party to the application.

6. **Key Policies and Considerations**

6.1 **Legal Considerations**

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

6.2 **New Information**

6.2.1 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.

6.3 **Hearsay Evidence**

6.3.1 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.

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

6.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. 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.

6.4.2 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.

6.4.3 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.

6.5 **Manchester Statement of Licensing Policy**

6.5.1 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.

6.5.2 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.

6.5.3 There are a number of references in the Policy to the licensing authority's expectations of applicants. The licensing authority will not apply the Policy rigidly, but will always have regard to the merits of the case with a view to promoting the licensing objectives.

6.5.4 Relevant to this application, 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 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. 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.

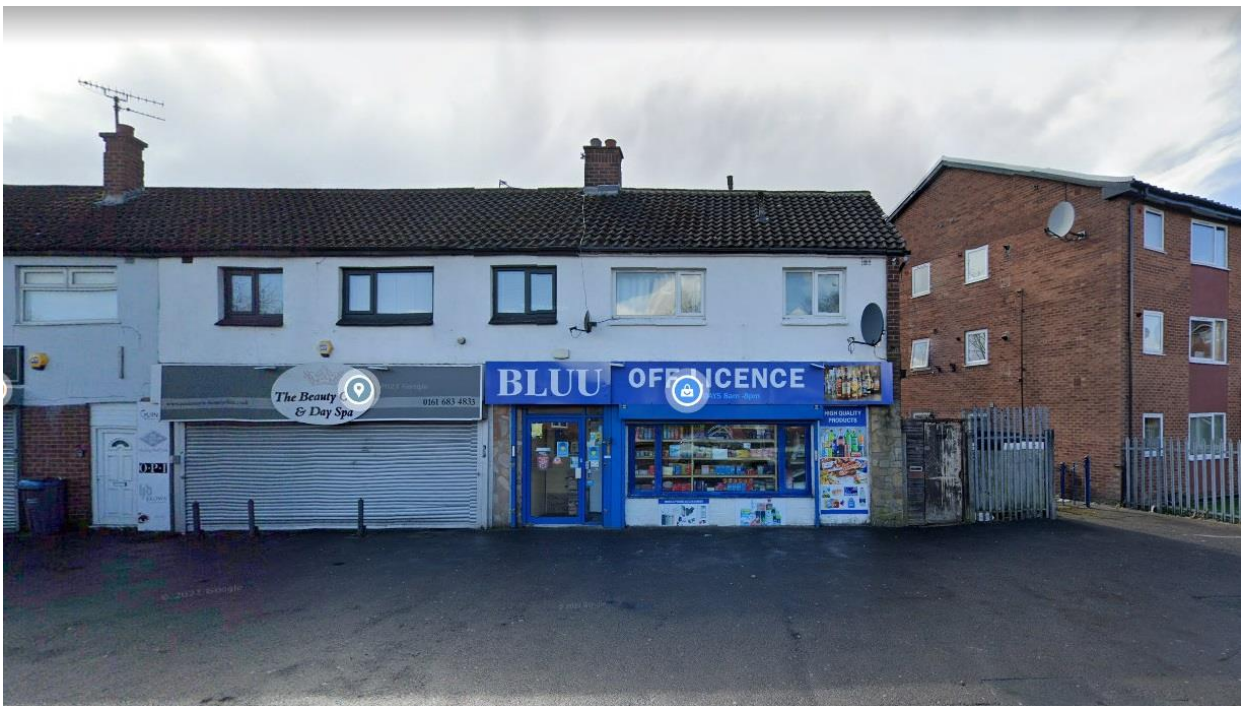
- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

7. Conclusion

- 7.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- a) the prevention of crime and disorder
 - b) public safety;
 - c) the prevention of public nuisance; and
 - d) the protection of children from harm.
- 7.2 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 licence holder. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 7.3 The authority must take such of the steps below as it considers appropriate for the promotion of the licensing objectives. The steps are –
- a) to modify the conditions of the licence;
 - b) to exclude a licensable activity from the scope of the licence;
 - c) to remove the designated premises supervisor;
 - d) to suspend the licence for a period not exceeding three months;
 - e) to revoke the licence.
- 7.4 The conditions of the licence are modified if any of them is altered or omitted or any new condition is added.
- 7.5 All licensing determinations should be considered on the individual merits of the application.
- 7.6 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.

- 7.7 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.
- 7.8 **The Panel is asked to take such steps, as set out in 7.3 above, as it considers appropriate for the promotion of the licensing objectives.**

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PREMISE NAME: Bluu

PREMISE ADDRESS: 777 Moston Lane, Manchester, M40 5RJ

WARD: Charlestown

HEARING DATE: 01/03/2022

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Send completed application form to:

Premises Licensing
 Manchester City Council
 Level 1 Town Hall Extension
 Albert Square
 PO Box 532, M60 2LA

**Application for the review of a premises licence or club premises certificate 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 Holly Raw of the Trading Standards Service, Manchester City Council

**apply for the review of a premises licence under section 51 / apply for the review of a club
 premises certificate under section 87 of the Licensing Act 2003 for the premises
 described in Part 1 below (delete as applicable)**

Part 1 – Premises or club premises details

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

777 Moston Lane

Post town Manchester

Postcode M40 5RJ

Name of premises licence holder or club holding club premises certificate (if known)

Iceberg Food Store Ltd

Number of premises licence or club premises certificate (if known)

169932

Part 2 - Applicant details

I am Please tick yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below) X

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick yes

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)
E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Holly Raw
Citywide Support Team - Trading Standards
The Neighbourhoods Service
Neighbourhoods Directorate
Manchester City Council
1 Hammerstone Road
Gorton
Manchester
M18 8EQ
Telephone number (if any)
0161 234 1564
E-mail address (optional)
Holly.Raw@manchester.gov.uk

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes

X

Please state the ground(s) for review (please read guidance note 2)

The undermining of the prevention of crime and disorder objectives arising from:

- Tobacco products being held for supply at the premises in contravention of labelling and packaging laws.
- Tobacco products being supplied at the premises in contravention of labelling and packaging laws.
- Non-duty paid and smuggled products being kept at the premises in contravention of Section 144 of the Licensing Act 2003.
- Counterfeit Tobacco products being held for supply at the premises.

Please provide as much information as possible to support the application (please read guidance note 3)

Bluu is an Off Licence and Convenience store at 777 Moston Lane, Manchester, M40 5RJ. The Premises Licence was granted in January 2015 with a transfer of license and DPS variation being granted in November 2020 to Iceberg Food Store Limited. The Premises Licence Holder (PLH) is Iceberg Food Store Ltd which has a sole director, Mr Lukman Karim who is also the Designated Premises Supervisor (DPS)

The Trading Standards Service received two referrals from HMRC and a member of the public who notified our department that the premises was supplying illicit tobacco. The first complaint was received on the 8th January 2021.

Following the receipt of the complaint a test purchase was made on the 13th March 2021, the independent test purchaser, instructed by Manchester City Council Trading Standards was sold a packet of non-compliant cigarettes for £5. The packet failed to meet labelling and packaging laws.

A visit was conducted on 21st March 2021 where 580 cigarettes and 0.75kg of hand rolling tobacco was seized. The tobacco was concealed in a plastic bag and also mixed in with the genuine tobacco in the gantry. The License holder and DPS, Mr Lukman Karim was present in the shop.

The tobacco was examined by trademark representatives and 500 cigarettes and 0.5kg of hand rolling tobacco was confirmed as being counterfeit. The 80x Lambert and Butler cigarettes were confirmed as genuine and later returned to the shop premises.

Mr Karim was interviewed about the matter and stated that he only buys tobacco from Costco and that the illicit tobacco was for his own personal use which he had purchased on the morning of the seizure.

The second complaint from HMRC was received on 22nd October 2021.

Following the receipt of the complaint a test purchase was made on the 24th October 2021, the independent test purchaser, instructed by Manchester City Council Trading Standards was sold a packet of non-compliant cigarettes for £6. The packet failed to meet labelling and packaging laws.

A visit was then made to the premises on the 7th November 2021. During the search a rucksack was found behind the counter, which was full of tobacco, which contained 760 cigarettes and 0.25kg of hand rolling tobacco. [REDACTED]

The tobacco was examined by trademark representatives and the Amber Leaf HRT was confirmed as being counterfeit. The samples of Richmond cigarettes and Superking cigarettes are still with the brand representative to be determined if they are counterfeit.

In total 1,260 cigarettes and 1kg of hand rolling tobacco failed to comply with packaging and health warning legislation resulting in offences under the Tobacco and Related Product Regulations 2016 and the Standardised Packaging of Tobacco Products Regulations 2015 and the Trade Marks Act 1994.

The requirement to supply tobacco products in plain packaging was introduced by The Standardised Packaging of Tobacco Products Regulations 2015. The Regulations make it a legal requirement that the only permitted colour for the external packaging of tobacco products is drab dark brown (Pantone 448C) with a matt finish. The legislation came into force on 20th May 2016 for new stock with a transitional provision that existing tobacco products already in the supply

chain could be supplied for 12 months. From 20 May 2017 it has been a criminal offence to supply any tobacco products in packaging other than plain packaging. The maximum penalty for breaching the regulations on indictment is a fine and 2 years imprisonment. Note that the definition of supply includes possession for supply.

The Tobacco and Related Products Regulations 2016 require the presence of warning statements on tobacco products and requires the warnings to be in English. The regulations came into force on 20 May 2016 however the requirements for warnings to be in English were not new and had been required by the preceding legislation. The maximum penalty for breaching the regulations on indictment is a fine and 2 years imprisonment and again the definition of supply includes possession for supply.

HM Revenue and Customs (HMRC) estimate that in 2017 to 2018 3 billion illicit cigarettes and 3.1 million kg of illicit hand-rolling tobacco were consumed in the UK. Illicit cigarettes and hand rolling tobacco can be counterfeit or smuggled/non-duty paid. The fraud is dominated globally by organised criminals and the illicit trade damages legitimate business, undermines public health and facilitates the supply of tobacco to young people.

Illicit tobacco is sold at a low price which encourages people to keep smoking while children and young people are often targeted by unscrupulous traders. The low selling price undermines the Government's campaign to reduce smoking prevalence through the use of taxation. HMRC estimate that the trade in illicit tobacco products cost the UK economy £2.5 billion in lost revenue lost in 2016-17 (£1.9 billion in tobacco duties and £0.6 billion in VAT).

The Trade Marks Act 1994 makes it a criminal offence for a person who with a view to gain for himself or another, or with intent to cause loss to another, and without the consent of the proprietor—supplies goods or their packaging a sign identical to, or likely to be mistaken for, a registered trade mark. If found guilty the offence carries a sentence of six months on summary conviction or a fine, or on conviction on indictment a sentence of up to ten years imprisonment, or a fine or both.

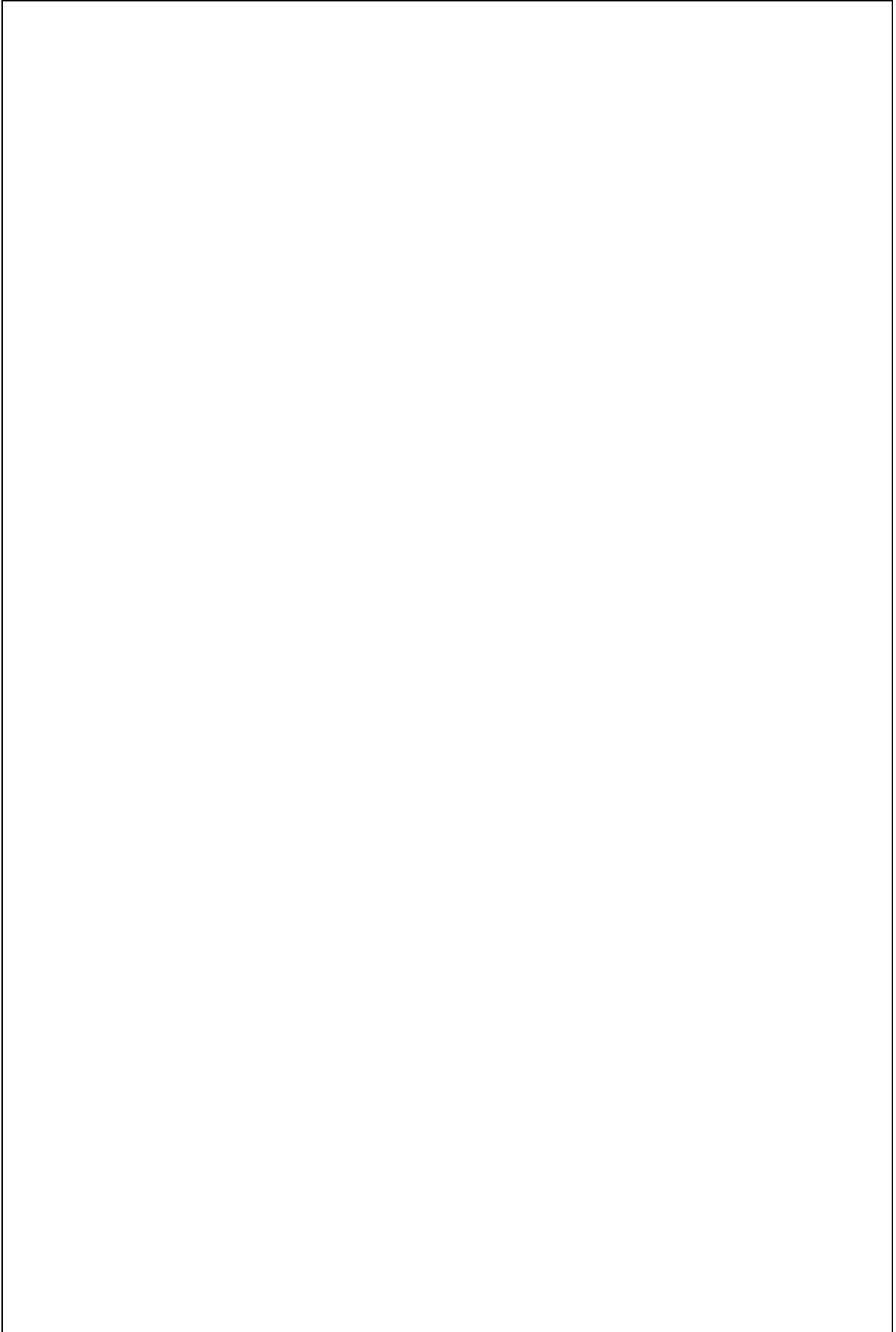
In the Section 182 guidance point 11.27 states there is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the Licensed Premises for the sale or storage of smuggled tobacco and alcohol.

Section 144 of the Licensing Act 2003 makes it an offence for a Premises Licence Holder and Designated Premises Supervisor to knowingly keep or allow to keep any products which have been imported without payment of duty or which have otherwise been unlawfully imported. Investigations are ongoing into this offence.

At this stage, Mr Lukman Karim would have been aware of our visit on the 7th November 2021, as paperwork was issued in relation to the visit. Mr Karim is clearly also aware of the laws regarding tobacco due to the level of concealment of the seizure on the 21st March 2021 as he was present and was interviewed about the matter. Yet a further test purchase proved the premises was still supplying illicit tobacco, and the seizure on the 7th November 2021, exposed the high level of supply he is involved in and profiting from.

It is our opinion that Mr Lukman Karim in the position of Director of Iceberg Food Store Ltd, the Premises Licence Holder (Iceberg Food Store Ltd) and as the Designated Premises Supervisor has no intention of complying with the law, and will continue, as evidence has shown, to break the law. He has displayed a clear lack of responsibility to uphold the licensing objectives, specifically the prevention of crime and disorder and to uphold the conditions attached to his premises licence. He has showed a flagrant disregard for the Licensing Act 2003, Tobacco related laws and Trademarks laws.

Therefore, the Trading Standards Service ask the Premises Licence is Revoked.



Please tick yes	
Have you made an application for review relating to the premises before?	<input type="checkbox"/>
If yes please state the date of that application	Da <input type="checkbox"/>

If you have made representations before relating to the premises please state what they were and when you made them

Please tick **yes**

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate X
- I understand that if I do not comply with the above requirements my application will be rejected X

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO 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 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature *H. Law*

Date 5th January 2022

Capacity Trading Standards Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your email address (optional)	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

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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 ACT 2003 PREMISES LICENCE

Premises licence number	169932
Granted	20/01/2015
Latest version	Transfer 253258 & DPS Variation 253259 Granted 19/11/2020

Part 1 - Premises details

Name and address of premises
Bluu 777 Moston Lane, Manchester, M40 5RJ

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

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0800	0800	0800	0800	0800	0800	0800
Finish	2000	2000	2000	2000	2000	2000	2000
The sale of alcohol is licensed for consumption off the premises only.							
Seasonal variations and Non standard Timings:							
None							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0700	0700	0700	0700	0700	0700	0700
Finish	2300	2300	2300	2300	2300	2300	2300
The sale of alcohol is licensed for consumption off the premises only.							
Seasonal variations and Non standard Timings:							
None							

Part 2

Details of premises licence holder	
Name:	Ice Berg Food Store Ltd
Address:	13 Flaxpool Close, Manchester, M16 7EN
Registered number:	12899618

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

Name: Lukman Karim

Address: [REDACTED]

Personal Licence number: [REDACTED]

Issuing Authority: [REDACTED]

Annex 1 – Mandatory conditions

Door Supervisors

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

Supply of alcohol

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

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

added tax were charged on the date of the sale or supply of the alcohol;

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

Annex 2 – Conditions consistent with the operating schedule

1. The premises shall have internal CCTV, recordings of which shall be retained for 31 days. External council controlled CCTV is already in operation.
2. There shall be external safety lighting.
3. The Designated Premises Supervisor shall ensure that any staff involved in the sale of alcohol are fully trained on their responsibilities under the Licensing Act 2003, including Challenge 25 and any changes of legislation.
4. All staff shall be trained in the usage and chronicled storage of CCTV.
5. All written training records shall be available on site for inspection at any time with six monthly refresher courses.
6. An approved intruder alarm shall be installed.
7. There shall be fire fighting equipment on site.
8. Notices shall be displayed requesting patrons to leave the premises quietly.
9. The DPS and his staff, shall at all times be vigilant, in terms of the monitoring and prevention of litter within the vicinity of the outlet.
10. The premises shall have a written age verification policy.
11. An incident book shall be kept on site to record any attempt by minors to purchase alcohol and cigarettes.

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

1. The premises shall display prominent signage indicating at any point of sale and at the entrance to the premises that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.

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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