



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 9 May 2022

Time: 10.00 am

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.**

## **Membership of the Licensing Sub Committee Hearing Panel**

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**Councillors** - Andrews, Hassan and Reid

## Agenda

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**1. Urgent Business**

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

**2. Appeals**

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

**3. Interests**

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

**4. Application for a New Premises Licence - Madre Manchester, Unit G3, Minshull House, 47 Chorlton Street, Manchester, M1 3FY**

5 - 74

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

**5. Temporary Event Notice - Deansgate Mews, 253 Deansgate, Manchester, M3 4EN**

75 - 100

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

## Information about the Committee

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

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

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

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

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

Smoking is not allowed in Council buildings.

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

## Further Information

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

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This agenda was issued on **Thursday, 28 April 2022** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Sub-Committee Hearing Panel – 9 May 2022

**Subject:** Madre Manchester, Unit G3, Minshull House, 47 Chorlton Street, Manchester, M1 3FY - App ref: Premises Licence (new) 269880

**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:** Piccadilly

Manchester Strategy Outcomes	Summary of the contribution to the strategy
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The efficient processing of applications as well as effective decision making in respect of them, plays an essential role in enabling businesses to thrive and maximise contribution to the economy of the region and sub-region.
A highly skilled city: world class and home grown talent sustaining the city's economic success	An effective Licensing 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

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Contact Officers:**

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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

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

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

## 1. Introduction

- 1.1 On 16/03/2022, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Madre Manchester, Unit G3, Minshull House, 47 Chorlton Street, Manchester, M1 3FY in the Piccadilly 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 Abuela Holdings Limited.
- 2.3 The description of the premises given by the applicant is 'The premises is based on Chorlton Street. It will comprise of a 90 seat Mexican restaurant with access out onto Little David Street.'
- 2.4 The proposed designated premises supervisor is Christopher Edwards

### 2.5 **The licensable activities applied for:**

Provision of regulated entertainment (recorded music):  
Mon to Sun 11pm to 1am

Provision of late night refreshment:  
Mon to Sun 11pm to 1am

The supply of alcohol for consumption both on and off the premises:  
Mon to Sun 11am to 1am

Opening hours:  
Mon to Sun 11am to 1am

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 2 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

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
<b>GMP</b>	The conditions offered in the application are not worded robustly enough to ensure that the Licensing Objectives are upheld.	Grant with conditions
<b>Licensing and Out of Hours Compliance</b>	The conditions offered in the application are not worded robustly enough to ensure that the Licensing Objectives of the prevention of public nuisance and the prevention of crime and disorder are upheld.	Grant with conditions

- 3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.
4. **Key Policies and Considerations**
- 4.1 **Legal Considerations**
- 4.1.1 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.
- 4.2 **New Information**
- 4.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.
- 4.3 **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:

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

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

This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be appropriate to apply in every situation to every premises, and applicants are

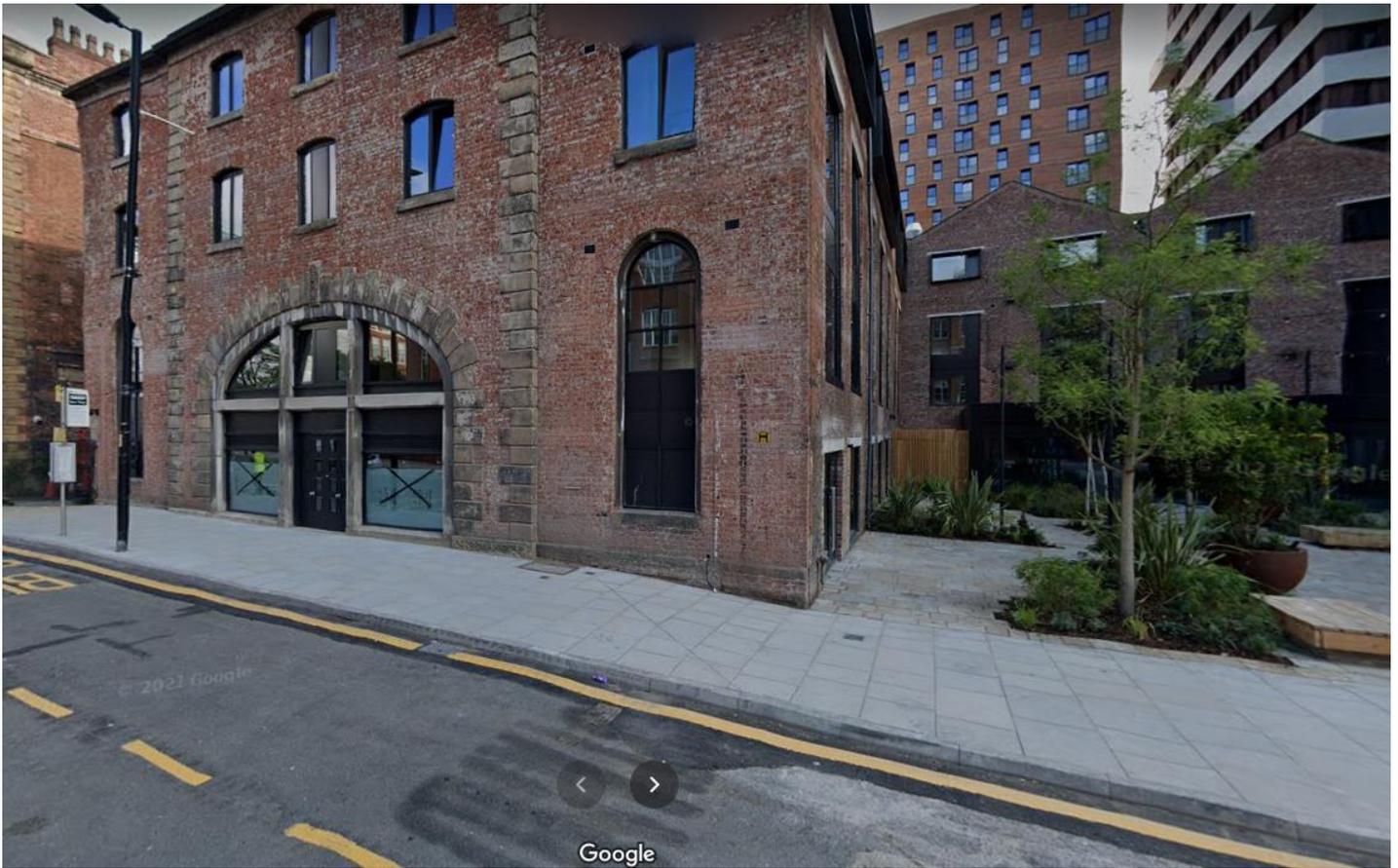
not obliged to include all standards in their operating schedule. The degree to which standards would be appropriate is expected to be proportionate to the risk posed against the promotion of the licensing objectives having regard to the individual circumstances of the premises. The standards are not exhaustive and the licensing authority will have regard to any relevant issues raised in any representation that may fall outside them.

- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS8 Prevent noise nuisance from the premises
- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

### **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.**



Madre Manchester  
Unit G3, Minshull House, 47 Chorlton Street,  
Manchester, M1 3FY

Premises Licensing  
Manchester City Council

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**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 ABUELA HOLDINGS 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			
Unit G3, Minshull house 47 Chorlton St. Manchester M1 3FY			
<b>Post town</b>		<b>Postcode</b>	
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£	

**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)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over <input type="checkbox"/> Please tick yes			
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
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)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>			I am 18 years old or over <input type="checkbox"/> Please tick yes		
<b>Nationality</b>					
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	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

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

<b>Name</b>	Abuela Holdings Limited (T/A Madre)
<b>Address</b>	3.09 Evans And Co Clockwise Edward Pavilion Albert Dock Liverpool L3 4AF
<b>Registered number (where applicable)</b>	13564700
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b>	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
01	03	2022

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)

The premises is based on Chorlton Street. It will comprise of a 90 seat Mexican restaurant with access out onto Little David Street. It is a redevelopment of existing building and part of the KAMPUS scheme. The property is built but not yet rated. Our fit out of the internal structures and services will begin in four weeks

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 checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/>            |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/>            |

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



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



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

**A**

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

**B**

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

**C**

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

## D

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

## E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)  We will occasionally have some acoustic performances at weekends, but it is not part of our regular schedule. It will be amplified through our regular house speaker system		
Mon					
Tue			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)  None		
Wed					
Thur			<b><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></b> (please read guidance note 6)		
Fri	6pm	10:30pm			
Sat	12pm	10:30pm			
Sun	12pm	10:30pm			

## F

Recorded music Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	11pm	1am	<b><u>Please give further details here</u></b> (please read guidance note 4)  Recorded music will be played throughout the day/night at conversational/ background levels. We are primarily a restaurant although there is some bar space where the music may be a higher than other spaces. There will be one small speaker above the front door that will be turned off at 9pm and played at a very low level throughout the day. We will usually have a DJ at the weekends.		
Tue	11pm	1am			
Wed	11pm	1am	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Thur	11pm	1am			
Fri	11pm	1am	<b><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></b> (please read guidance note 6)		
Sat	11pm	1am			
Sun	11pm	1am			

## G

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

## H

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

Text

## 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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)  Madre is a Mexican restaurant that will serve food and drink through till 1am. Guests are served hot food and drink by servers at their tables throughout the day.		
	11am	1am			
Tue					
	11am	1am			
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
	11am	1am			
Thur					
	11am	1am			
Fri			<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
	11am	1am			
Sat					
	11am	1am			
Sun					
	11am	1am			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	11am	1am	Alcohol will be served throughout the day. The bar specialises in Mexican spirits and cocktails but also serves wine, beer, soft drinks. In the summer months we will service some a small number of tables outside.		
Tue	11am	1am			
Wed	11am	1am			
Thur	11am	1am	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Fri	11am	1am	In line with the seasonal variation in trading there may be times exceptions such as New year/Pride weekend where we will serve until 2am		
Sat	11am	1am			
Sun	11am	1am			

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

<b>Name</b>	Chris Edwards
<b>Date of birth</b>	██████
<b>Address</b>	████████████████████ ████████████████████ ████████████████████
<b>Postcode</b>	██████
<b>Personal licence number (if known)</b>	██████
<b>Issuing licensing authority (if known)</b>	████████████████████

**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).

not applicable

**L**

<p><b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)</p>			<p><b><u>State any seasonal variations</u></b> (please read guidance note 5)</p> <p>There may be occasions where we will stay open until 2am such as New Year, pride weekend, and other local festivals.</p>
Day	Start	Finish	<p><b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 6)</p>
Mon			
	11am	1am	
Tue			
	11am	1am	
Wed			
	11am	1am	
Thur			
	11am	1am	
Fri			
	11am	1am	
Sat			
	11am	1am	
Sun			
	11am	1am	

## 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)

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL KEEP:

Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to:

- a/ no selling of alcohol to underage people
- b/ no drunk and disorderly behavior on the premises area or outside the premises
- c/ vigilance in preventing the use and sale of illegal drugs at the retail area
- d/ no violent and anti-social behaviour
- e/ no any harm to children

- Operating Schedule providing the hours of operation and licensable activities during those hours.
- Designated premises supervisor confirmed is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), and to make or authorise each sale
- Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers.
- CCTV system installed with recording option available, with no blind spots front of house
- Roller metal exterior window shutter will be fixed front and rear of the unit to ensure that shop is safe and secure at all times

As a licensed premises we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

### b) The prevention of crime and disorder

CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective. We will endeavour to have no blind spots and a camera directly facing the entrance to ensure good facial documentation of all visitors. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.

Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.

Not selling of alcohol to drunk or intoxicated customers.

Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.

Prevention and vigilance in illegal drug use at the retail unit area.

Staff will be well trained in asking customers to use premises in an orderly and respectful manner and prevent drinking alcohol at the retail unit (ex. canned or bottled beer).

A log book will also be kept of any such activity.

Regular toilet checks will be employed to dissuade any drug abuse and anybody found to be using drugs on the premises will have them confiscated and they will be ejected from the venue.

Any confiscated paraphernalia will be put into a lock box, logged, and reported to the police for them to collect on a monthly basis

### c) Public safety

Internal and external lighting fixed to promote the public safety objective.

Well trained staff adherence to environmental health requirements.

Training and implementation of underage ID checks.

A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary.

As a registered food premises, we will go through Environmental Health Agency to obtain a 5\* hygiene rating.

### d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective.

Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

Limiter set by a sound engineer to ensure no noise pollution to neighbouring residents, and sound insulation installed if necessary.

Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.

Customers will be asked not to stand around loudly talking in the street outside the premises.

Customers will not be admitted to premises above opening hours.

The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.

Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.

Adequate waste receptacles for use by customers will be provided in the local vicinity.

### e) The protection of children from harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol.

Well trained staff about requirement for persons' identification, age establishment etc.

All the details provided in Training Record Book available the retail unit.

Log Book will be kept upon the premises all the time.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. Could you please send me a link to pay
- 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 have made the DPS application online
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

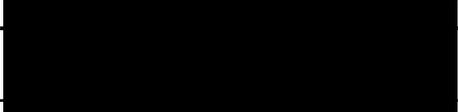
**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

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

**Part 4 – Signatures** (please read guidance note 11)

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

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

	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	11/2/22
Capacity	Director

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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)			

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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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# GREATER MANCHESTER POLICE - REPRESENTATION

## About You

Name	<b>PC Alan Isherwood</b>
Address including postcode	1 <sup>st</sup> Floor Manchester Town Hall Extension Lloyd Street Manchester
Contact Email Address	alan.isherwood@gmp.police.uk
Contact Telephone Number	<b>0161 856 6017</b>

## About the Premises

Application Reference No.	<b>LPA 269880</b>
Name of the Premises	<b>Madre Manchester</b>
Address of the premises including postcode	Unit G3, Minshull House, 47 Chorlton Street, Manchester M1 3FY

## 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 Prevention of Crime and Disorder, the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.

The applicant has offered conditions within the Operating Schedule but they need to be worded more robustly to best demonstrate how the 4 Licensing Objectives will be upheld. If this licence was granted GMP would ask that the following conditions are attached to ensure that the 4 Licensing Objectives are upheld.

**The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.**

**An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:**

- (a) all crimes reported to the venue, or by the venue to the Police**
- (b) all ejections of patrons**
- (c) any incidents of disorder**
- (d) any faults in the CCTV system or searching equipment or scanning equipment**
- (e) any refusal of the sale of alcohol**
- (f) any visit by a relevant authority or emergency service**

**The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice.**

**The premises shall display prominent signage indicating at any point of sale, the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.**

**In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals.**

**Re: Representation from GMP - new premises licence application 269880HH1: Madre Manchester, Unit G3, Minshull House, 47 Chorlton Street, Manchester, M1 3FY**

Alan Isherwood <Alan.Isherwood@gmp.police.uk>

Thu 14/04/2022 14:17

To: [Redacted]

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

Good Afternoon [Redacted]

Thank you for your email.

I have noted the points you have raised and GMP are happy with the amended condition regarding the signage but we will still be asking for the condition regarding maintaining a refusals log.

Kind Regards

Alan

Get [Outlook for Android](#)

**From:** [Redacted]

**Sent:** Thursday, April 14, 2022 11:24:28 AM

**To:** Central Licensing <CentralLicensing@gmp.police.uk>

**Cc:** Alan Isherwood <Alan.Isherwood@gmp.police.uk>; Premises.Licensing@manchester.gov.uk <Premises.Licensing@manchester.gov.uk>

**Subject:** Re: Representation from GMP - new premises licence application 269880HH1: Madre Manchester, Unit G3, Minshull House, 47 Chorlton Street, Manchester, M1 3FY

Thank you.

[Redacted]

[Redacted]

[Redacted]

**Re: Representation from GMP - new premises licence application 269880HH1: Madre Manchester, Unit G3, Minshull House, 47 Chorlton Street, Manchester, M1 3FY**

[REDACTED]  
Thu 14/04/2022 11:11

To: alan.isherwood <alan.isherwood@gmp.police.uk>;GMP Licensing <centrallicensing@gmp.police.uk>  
Cc: Premises Licensing <Premises.Licensing@manchester.gov.uk>

Mr Isherwood,

Attached is my proposed changes to the licence application after considering your objections. There are just two small changes I have made to your proposed text. I have removed the clause about prominently displaying signs "indicating at any point of sale,". This is a restaurant and so the vast majority of sales are at the table, and so it is unfeasible to sign every table. I will however still " display prominent signage at the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18."

The only other clause I removed was about keeping a log of every time somebody was refused alcohol. Staff are well trained and well versed on how to deal with these situations and the importance of the licensing objections. I feel this is an unnecessary use of time and the documentation of such events does nothing to actually help enforce the licensing objectives, it merely documents that they have been observed.

If you could please confirm your approval of this text in writing, it would be greatly appreciated.

Kind Regards,

[REDACTED]  
On 12 Apr 2022, at 12:34, Premises Licensing  
<[Premises.Licensing@manchester.gov.uk](mailto:Premises.Licensing@manchester.gov.uk)> wrote:

Dear [REDACTED]

An objection has been received from the Greater Manchester Police as attached. Objections are received against most of the applications that we process, and often the purpose is to ensure that any licence granted is more robust and enforceable and includes the most up-to-date conditions (as appears to be the case here). As an objection has been received, the application will not automatically be granted after the end of consultation but must go through a further process

**What you can do next:**

- You have the **option to contact the objector to see whether an agreement can be reached leading to withdrawal of the representation** - contact details are on the attachment and also copied in on this email.
- If an **agreement** is reached it must be confirmed in writing - email is fine and the full email chain will be logged as the agreement, with the final email being from the objector confirming that the objection is withdrawn

14/ 4/2022 11:19 GO2

From: Chris Edwards [REDACTED]  
 Sent: 14 April 2022 11:14  
 To: Premises Licensing <Premises.Licensing@manchester.gov.uk>  
 Cc: Margaret Lewis <margaret.lewis@manchester.gov.uk>  
 Subject: Re: Representation from the Licensing & Out of Hours Compliance Team - new premises licence application 269880HH1: Madre Manchester, Unit G3, Minshull House, 47 Chorlton Street, Manchester, M1 3FY

I am happy to have these conditions added to the licence.

Many thanks,

Chris Edwards

 <b>MANCHESTER CITY COUNCIL</b>	
<b>Licensing &amp; Out of Hours Compliance Team - Representation</b>	
Name	Margaret Lewis
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	Margaret.lewis@manchester.gov.uk
Telephone Number	0161 234 1220 07795010291

<b>Premise Details</b>	
Application Ref No	269880
Name of Premises	Madre Manchester
Address	Unit G3, Minshull House, 47 Chorlton Street, Manchester, M1 3FY

<b>Representation</b>
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.
Licensing and out of hours team (LOOHT) have assessed the likely impact of granting the new licence, taking into account a number of factors, including, the nature of the area in which the premises is located, the hours applied for and any potential risk that the granting of this licence could undermine the licensing objectives.
The premises is based on Chorlton Street. It will comprise of a 90 seat Mexican restaurant with access out onto Little David Street. It is a redevelopment of existing building and part of the KAMPUS scheme to sit alongside other retail units in a mixed use complex. They have applied to serve alcohol and be open from 11am till 1am 7 days a week, with some seasonal variations to extend hours.

They have offered many conditions but do not appear to have referred to Manchester City Councils Model conditions. The detail in some of the conditions are not enough to uphold the licensing objectives.

In terms of CCTV and crime and disorder they have not stated how long the system should be recorded or be kept for. They have also not mentioned the need for security given the late hours and the location, we ask that the following condition be added.

- The need for door supervisors will be risk assessed. Any door supervisors on duty at the premises must be supplied by an SIA Approved Contractor Scheme company.

Given the location directly below residential dwellings, LOOH feel that to uphold all the licensing objectives especially that of Public Nuisance the following conditions will need to be added.

- No Noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to public nuisance
- Staff shall monitor customer smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.

LOOH ask that the application be approved with the above conditions.

Approve with Conditions (Outlined Above)

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"> <li>1. Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to:               <ol style="list-style-type: none"> <li>a. no selling of alcohol to underage people</li> <li>b. no drunk and disorderly behaviour on the premises area or outside the premises</li> <li>c. vigilance in preventing the use and sale of illegal drugs at the retail area</li> <li>d. no violent and anti-social behaviour</li> <li>e. no any harm to children</li> </ol> </li> <li>2. Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers.</li> <li>3. Roller metal exterior window shutter will be fixed front and rear of the unit to ensure that shop is safe and secure at all times</li> <li>4. Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.</li> <li>5. Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.</li> <li>6. Prevention and vigilance in illegal drug use at the retail unit area.</li> <li>7. Regular toilet checks will be employed to dissuade any drug abuse and anybody found to be using drugs on the premises will have them confiscated and they will be ejected from the venue. Any confiscated paraphernalia will be put into a lock box, logged, and reported to the police for them to collect on a monthly basis</li> <li>8. Internal and external lighting fixed to promote the public safety objective.</li> <li>9. Training and implementation of underage ID checks.</li> <li>10. Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.</li> <li>11. Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.</li> <li>12. The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.</li> <li>13. Customers will be asked not to stand around loudly talking in the street outside the premises.</li> </ol>	N/A	Applicant

## Schedule of Licence Conditions

<p>14. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm.</p> <p>15. Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.</p> <p>16. Adequate waste receptacles for use by customers will be provided in the local vicinity.</p> <p>17. "Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol.</p>		
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
<p>18. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.</p> <p>19. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:</p> <ul style="list-style-type: none"> <li>(a) all crimes reported to the venue, or by the venue to the Police</li> <li>(b) all ejections of patrons</li> <li>(c) any incidents of disorder</li> <li>(d) any faults in the CCTV system or searching equipment or scanning equipment</li> <li>(e) any refusal of the sale of alcohol</li> <li>(f) any visit by a relevant authority or emergency service</li> </ul> <p>20. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell</p>	<p>Partially (condition 19.e has not been agreed)</p>	<p>GMP</p>

## Schedule of Licence Conditions

<p>alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice.</p> <p>21. The premises shall display prominent signage at the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.</p> <p>22. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals.</p>		
<p>23. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to public nuisance.</p> <p>24. Staff shall monitor customer smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.</p> <p>25. The need for door supervisors will be risk assessed. Any door supervisors on duty at the premises must be supplied by an SIA Approved Contractor Scheme company.</p>	Yes	Licensing and Out of Hours

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Sub-Committee Hearing Panel – 9 May 2022

**Subject:** The Great Northern Street Festival (deansgate Mews), Deansgate Mews, 253 Deansgate, Manchester, M3 4EN - ref: LTN273670

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

**Summary**

Submission of a temporary event notice where an objection notice has been given.

**Recommendations**

That the Panel consider the objection notices and give a counter notice where it considers it appropriate.

**Wards Affected:** Deansgate

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

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

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Contact Officers:**

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Name: Lauren Wade  
 Position: Technical Licensing Officer  
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 E-mail: Premises.licensing@manchester.gov.uk

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

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

## 1. **Introduction**

- 1.1 On 22 April 2022, a temporary event notice (TEN) was given under s100A of the Licensing Act 2003 in respect of The Great Northern Street Festival (deansgate Mews), Deansgate Mews, 253 Deansgate, Manchester, M3 4EN in the Deansgate ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 In accordance with Licensing Act 2003 regulations, Greater Manchester Police (GMP) and Licensing Out of Hours Compliance (LOOH) were notified of the TEN.
- 1.3 Where either GMP or LOOH is satisfied that allowing the premises to be used in accordance with the TEN would undermine a licensing objective, they must give an objection notice to the relevant licensing authority, the premises user, and to every other relevant person.
- 1.4 The objection notice must be given no later than three working days after the day on which the objector is given the TEN.
- 1.5 An objection notice has been received in respect of this TEN and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

## 2. **The Notice**

- 2.1 A copy of the TEN is attached at **Appendix 2**.
- 2.2 The premises user is Mrs Farys Katarzyna.
- 2.3 The description of the event is The Great Northern Street Festival.
- 2.3.1 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 TEN.
- 2.3.2 Any further details provided relating to any of the individual licensable activities are specified on the TEN at **Appendix 2**.
- 2.4 **Activities unsuitable for children**
- 2.4.1 The premises user has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

## 3. **Objection Notice(s)**

- 3.1 An objection notice was received from LOOH in respect of the TEN (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these objections will be available to the Panel at the hearing.

## 3.2 Summary of the objections:

Party	Grounds of representation	Recommends
<b>Licensing and Out of Hours Compliance</b>	<p>Concerns that the event could lead to issues of Public Nuisance and Public Safety. No details or supporting documents to show how they plan to manage the event. It is recommended that the following conditions are attached if the TEN is granted:</p> <ol style="list-style-type: none"> <li>1. A plan of the premises must be submitted prior to the start of this event to the licensing authority. The plan must clearly define the area covered by this TEN.</li> <li>2. During the event at least two SIA registered door supervisors must be on duty from 10:00am until the event has ended and all patrons have left.</li> <li>3. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority</li> <li>4. Open containers of alcohol shall not be removed from the licensable area.</li> <li>5. Drinks must only be served in polycarbonate/plastic containers.</li> <li>6. No noise shall emanate from the event that gives rise to a nuisance.</li> </ol>	Approve with conditions

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 Where the authority considers that to impose on the TEN one or more of the conditions from a premises licence or club premises certificate in force at the premises (insofar as such conditions are not inconsistent with the event) is appropriate for the promotion of the licensing objectives, the policy is to give notice to the premises user that includes a statement of the conditions imposed. Copies of this notice will be provided for GMP and LOOH.

4.5.5 Where, following any representations at the hearing, the licensing authority is not satisfied the event will ensure the promotion of the licensing objectives, the policy is to issue a counter-notice against the Temporary Event Notice.

## 5. **Conclusion**

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

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

5.2 In considering the matter, the Panel should take into account any objections that have been received from GMP or LOOH, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.

5.3 Having regard to the objection notice(s), the panel must give the premises user a counter notice if it considers it appropriate for the promotion of a licensing objective to do so.

5.4 If the panel decides not to give a counter notice the panel may impose one or more conditions on the TEN if –

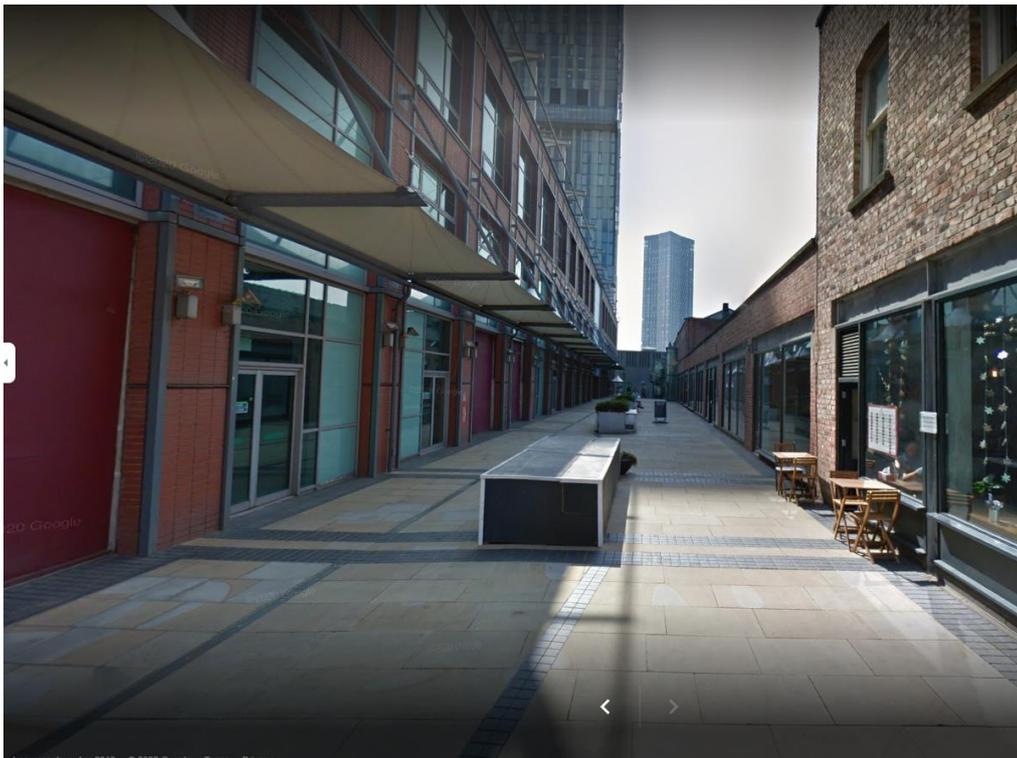
- the authority considers it appropriate for the promotion of the licensing objectives to do so,
- the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and
- the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.

5.5 All licensing determinations should be considered on the individual merits of the notification.

5.6 The Panel’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.

5.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.

## 6. **The Panel is asked to determine the temporary event notice**



<b>PREMISE NAME:</b>	<b>Deansgate Mews</b>
<b>PREMISE ADDRESS:</b>	<b>253 Deansgate, Manchester, M3 4EN</b>
<b>WARD:</b>	<b>Deansgate</b>
<b>HEARING DATE:</b>	<b>09/05/2022</b>

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# Temporary Event Notice

Payment Transaction number:- SSES00317432 | Form Reference number EF1/390445

## Premises User Information

Title

[Redacted]

If other please state

*n/a*

Surname

[Redacted]

Forenames

[Redacted]

Previous names (Please enter details of any previous names or maiden names, if applicable)

[Redacted]

Your date of birth

[Redacted]

Your place of birth

[Redacted]

National Insurance Number

[Redacted]

Your current address (We will use this address to correspond with you unless you complete the separate correspondence box)

[Redacted]

Telephone

[Redacted]

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email address

[REDACTED]

Address

n/a

Telephone

n/a

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email

n/a

## Premises information

Please give the name and address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references)

Deansgate Mews The Great Northern Management Suite 235 Deansgate Manchester M3 4EN

Premises licence number

n/a

Club premises certificate number

n/a

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details.

n/a

Please describe the nature of the premises

Cinema, event spaces, Various bars and retail units

Please describe the nature of the event

We will have food and drink retailers, street arts and craft stalls, with security at each entrance. We will also have some bands playing (12noon until 10pm). I have downloaded the noise control guidance from MCC website and we will ensure these are followed.

The Great Northern Street Festival is planned to take place outdoors in the mews space at Great Northern on on the 20th, 21st and 22nd May 2022.

## Licensable activities

The sale by retail of alcohol

Yes

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

No

The provision of regulated entertainment

Yes

The provision of late night refreshment

No

Are you giving a late temporary event notice?

No

Please state the dates on which you intend to use these premises for licensable activities.

20th, 21st and 22nd May 2022

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock).

10:00-22:00

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers (maximum 499).

300

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both

On

Please state if the licensable activities will include the provision of relevant entertainment.

No

If yes selected, please state the times during the event period that you propose to provide relevant entertainment.

n/a

## Personal Licence Details

Do you currently hold a valid Personal Licence?

Yes

Issuing Authority

Manchester City Council

Licence Number

129842

Date of Issue

14/07/2010

Date of Expiry

n/a

Any further relevant details

n/a

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

No

If answering yes, please state the number of temporary event notices you have given for events in that same calendar year

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your associate have given for events in the same calendar year

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

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## Declaration and Payment New

Name

[REDACTED]

Capacity in which you are making this application

[REDACTED]

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## Additional information

I understand

Yes

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These are the files included with this application :-

Acknowledgement

I acknowledge receipt of this temporary event notice

Signature:

[REDACTED]

On behalf of the Licensing Authority

Date:

Name of officer signing:

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

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

Premises Details	
Application Ref No	MAU273670
Name of Premises	The Great Northern Street Festival (deansgate Mews)
Address	Deansgate Mews, 253 Deansgate, Manchester, M3 4EN

Representation
<p>The Licensing and Out of Hours (LOOH) team have assessed the likely impact of the grant of this Temporary Event Notice (TEN) in its current form. Taking into account a number of factors, including the nature of the area in which the premises is located and any potential risk the granting of this Temporary Event could lead to issues of Public Nuisance and Public Safety.</p> <p>The TEN proposes to hold “The Great Northern Street Festival” on Deansgate Mews within the Great Northern complex, licensable activities would include the sale by retail of alcohol and the provision of regulated entertainment</p> <p>The TEN user has not provided any detail within the TEN as to how the event will be effectively managed with limited detail regarding security provided. There is no mention of how patrons attending the event will be kept separate from patrons attending nearby licensed premises, therefore ensuring that people attending the event does not exceed the 300 specified within this TEN.</p> <p>No steps were offered within the TEN detailing how patrons will be prevented from leaving the licensable area with open containers of alcohol. This could potentially lead to patrons exiting the TEN area with open containers of alcohol therefore creating a heightened risk that the alcohol could be consumed on the street. This would breach the Public Space Protection Order (PSPO) which relates to people drinking alcohol or having open containers of alcohol in the streets and could lead to instances of disorder and public nuisance.</p> <p>Additionally, with the provision of regulated entertainment taking place in an open space and not within a physical premises. There is a heightened risk that entertainment if not monitored and controlled could cause a nuisance to nearby businesses and residents.</p> <p>A request was made to the TEN user to ask for clarification on these points prior to submission of this representation however at present no response has been received. To address these concerns, LOOH have reviewed the temporary event notice, taking into account the above concerns and recommend that the following conditions are attached to this TEN if granted at committee, or by the licensing authority:</p> <ol style="list-style-type: none"> <li>1. A plan of the premises must be submitted prior to the start of this event to the licensing authority. The plan must clearly define the area covered by this TEN.</li> </ol>

2. During the event at least two SIA registered door supervisors must be on duty from 10:00am until the event has ended and all patrons have left.
3. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority
4. Open containers of alcohol shall not be removed from the licensable area.
5. Drinks must only be served in polycarbonate/plastic containers.
6. No noise shall emanate from the event that gives rise to a nuisance.

Recommendation: Approve with Conditions (Outlined Above)