



Licensing Sub Committee Hearing Panel

Date: Wednesday, 12 May 2021

Time: 10.00 am

Venue: Council Chamber, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Access to the Council Antechamber

Public access to the Council Antechamber 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. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk.

There is no public access from the Lloyd Street entrances of the Extension.

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Ludford (Chair), Grimshaw (Deputy Chair) and Andrews

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 New Premises Licence - Second City, Unit 1, Cotton Square, Ancoats, M4 5EP

5 - 102

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

5. Application for New Premises Licence - 202 Kitchen, Unit B5 and B6, Left Bank, Manchester, M3 3AN

103 - 220

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

Information about the Committee

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

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

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

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

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

Smoking is not allowed in Council buildings.

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

Further Information

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

Ian Hinton-Smith
Tel: 0161 234 3043
Email: i.hintonsmith@manchester.gov.uk

This agenda was issued on **Friday, 30 April 2021** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 05/05/2021

Subject: Second City, Unit 1, Cotton Square, Manchester, M4 5EP –
App ref: Premises Licence (new) 256231

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendation

That the Panel determine the application.

Wards Affected: Ancoats and Beswick

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	

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: f.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 2017
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

1. **Introduction**

- 1.1 On 08/03/2021, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Second City, Unit 1, Cotton Square, Manchester, M4 5EP in the Ancoats and Beswick 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 Second City MCR Limited.
- 2.3 The description of the premises given by the applicant is 'restaurant and bar.'
- 2.4 The proposed designated premises supervisor is Mark West.
- 2.5 **The licensable activities applied for:**
 Provision of late night refreshment:
 Fri to Sat 11pm to midnight
- The supply of alcohol for consumption both on and off the premises:
 Sun to Thurs 11am to 11pm, Fri to Sat 11am to midnight
- Opening hours:
 Sun to Thurs 9am to 11.30pm, Fri to Sat 9am to half past midnight
- 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**.

2.8 **Further documentation accompanying the application**

2.8.1 The applicant has submitted the following documents in support of their application, which are included with the application form at **Appendix 2**:

- Smoking Policy
- Dispersal Policy

3. **Relevant Representations**

3.1 A total of 9 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.

Other Persons:

- Residents (x 9)

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Residents (x 9)	<ul style="list-style-type: none"> • The proposal to keep doors and windows at the premises closed after 11pm is unsuitable as these are directly below living rooms and bedrooms - noise nuisance up to 11pm is too late. • There will be noise nuisance as customers leave the premises along Cotton Street especially as the street is narrow with high buildings either side, the application does 	

	<p>not go far enough to address how this would be managed.</p> <ul style="list-style-type: none"> • Noise and vibration from the premises would be a nuisance to residents living above. • The location of the entrance, and business model of a bar showing live sports, facilitates high levels of public nuisance and also could have public safety implications in that the showing of live sports is likely to attract groups of males who may loiter outside the entrance of the building which may be intimidating for women, children and the elderly. This is especially pertinent as fights occurred outside the previous Second City building. The siting of a sports bar in a largely residential area is inappropriate. • Due to the siting of the kitchen extraction, the cooking of food could lead to unpleasant smells which would adversely affect the residents of Cotton House, creating health issues and reducing air quality. • Smokers are likely to congregate outside the premises and create litter. 	
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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 5: Special Policy Area

The premises is located within the following special policy area:
Ancoats and New Islington

The effect of the special policy is that the Council will generally only permit licensable activities for premises in the Ancoats and New Islington Regeneration Framework area until the terminal hours set out below whenever it receives relevant representation, unless an applicant can demonstrate there are exceptional circumstance to justify a departure from the policy in the individual circumstances:

- 11pm (Sunday to Thursday)
- 12am midnight (Friday, Saturday)

The special policy applies to on and off sales of alcohol. Where alcohol is sold for consumption on the premises, our policy will be to generally provide 30 minutes 'drinking up' time between the terminal hour for the sale of alcohol and the closing time of the premises.

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
- 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

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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The unit is within the Ice Plant building at approximately the location of the red dot

Second City
Unit 1, Cotton Square, Manchester, M4 5EP

Premises Licensing
Manchester City Council

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PREMISE NAME:	Second City
PREMISE ADDRESS:	Unit 1, Cotton Square, Manchester, M4 5EP
WARD:	Ancoats and Beswick
HEARING DATE:	04/05/2021

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

Document is Restricted

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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 Second City MCR 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			
Second City Unit 1 Cotton Square Ancoats			
Post town	Manchester	Postcode	M4 5EP
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£TBC	

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 | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <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:

Please tick yes

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		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

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		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal 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 Second City MCR Limited
Address 37 Blossom Street Manchester M4 6AJ
Registered number (where applicable) 09739564
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		
0	6	0	4	2	0	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)
Restaurant and bar.

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 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

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

B

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

C

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

D

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

E

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

F

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

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				<u>Please give further details here</u> (please read guidance note 3)	
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri	23:00	00:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5) From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Sat	23:00	00:00			
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Mon	11:00	23:00	<u>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</u> (please read guidance note 5) From the start time on New Year's Eve to the terminal hour for New Year's Day.		
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00			
Fri	11:00	00:00			
Sat	11:00	00:00			
Sun	11:00	23:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name Mark West	
Address ██████████ ██████████ ██████████	
Postcode	██████████
Personal licence number (if known) 230964	
Issuing licensing authority (if known) Manchester City Council	

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 8).

n/a

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	09:00	23:30	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 (please read guidance note 5) From the start time on New Year's Eve to the terminal hour for New Year's Day.
Tue	09:00	23:30	
Wed	09:00	23:30	
Thur	09:00	23:30	
Fri	09:00	00:30	
Sat	09:00	00:30	
Sun	09:00	23:30	

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 9)

Please see attached operating schedule and policies.

b) The prevention of crime and disorder

Please see attached operating schedule and policies.

c) Public safety

Please see attached operating schedule and policies.

d) The prevention of public nuisance

Please see attached operating schedule and policies.

e) The protection of children from harm

Please see attached operating schedule and policies.

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.

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

Part 4 – Signatures (please read guidance note 10)

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

Signature	████████████████████
Date	08 March 2021
Capacity	████████████████████

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) ██████████ ██████████			
Post town	Manchester	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. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

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 full 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. The need for SIA registered door personnel will be risk assessed by a person in a managerial position. 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 set aside for that purpose and under the control of the premises licence holder.
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. The exterior of the building and external area shall be cleared of litter at regular intervals.
3. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
4. Doors and windows at the premises are to remain closed after 11pm, save for access and egress.
5. A Dispersal and Smoking Policy will be implemented and adhered to (see attached).
6. The emptying of bins into skips, deliveries and refuse collections will not take place between 10pm and 7:30am.
7. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

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.

SMOKING & AL FRESCO DINING POLICY

SECONDCITY

1. Any outside area used by customers wishing to dine, drink or smoke shall be clearly delineated and covered by the CCTV system which will be installed at the premises.
2. The outside area shall be monitored by staff when it is in use.
3. The outside area shall not be used by customers for eating or drinking beyond 22:00.
4. The area will be cleaned regularly.
5. Suitable receptacles shall be provided for smokers to dispose of cigarette butts.
6. Signs will be displayed in the area requesting customers keep noise to a minimum.
7. Patrons who disregard signage and verbal instructions regarding noise will be asked to move inside and/or leave the premises.
8. Open containers of alcohol shall not be permitted to be taken beyond the boundary of the outside area.

DISPERSAL POLICY

SECONDCITY

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 open 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.

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

Document is Restricted

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Ref: 256231/CT4



Wed 24/03/2021 17:18

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

To whom it may concern,

I am writing to you in relation to a licence application that has been made by 'Second City MCR Limited' for Unit 1, Cotton Square, Ancoats, M4 5EP.

Licences are granted on the promotion of four licencing objectives however I believe that Second City, and their proposed controls, fail to reach an adequate threshold required of these objectives, particularly in relation to the prevention of public nuisance.

Outlined below, in blue, are specific elements that Second City state they will make to promote the licencing objectives yet which I do not believe will do so sufficiently:

- Doors and windows at the premises are to remain closed after 11pm, save for access and egress

I have concerns about this as doors and windows are directly below living and bedrooms of some properties at the Cotton House development. Request that there is a change from 11pm to, at the very latest, 10pm in the evening. Ideally this should be from 9pm.....bedrooms and living rooms are literally directly above the access/and egress doors of the premises and will undoubtedly be subjected to nuisance as a result.

- Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner

These notices will, as evidence has shown in other pubs/restaurants, do very little to reduce noise that customers make when they leave the premises. Second City have a moral duty to not simply wipe their hands of responsibility when customers walk out their doors. They should, through their door staff or other means, proactively encourage dispersal from the area by asking their customers to move away. This will be particularly significant along Cotton Street due to the street itself being narrow, with high buildings either side, facilitating/amplifying noise nuisance. Along Cotton Street are numerous bedrooms of residents in Cotton House and Alumni Court. I'd like to see a commitment to this proactive dispersal, within their application, as a step Second City will use to reduce noise nuisance.

I also note the following in relation to their application regarding opening hours. Closing time for Second City, to my understanding, is later than times permitted by other local businesses in the area. Extension of opening hours only increases the risk of nuisance through, for example, increase in customers to Second City when other locations have closed and Second City remains open.

Proposed hours and licensable activities:

Provision of late night refreshment:

Fri to Sat 11pm to midnight

The supply of alcohol for consumption both on and off the premises:
Sun to Thurs 11am to 11pm, Fri to Sat 11am to midnight

Opening hours:
Sun to Thurs 9am to 11.30pm, Fri to Sat 9am to half past midnight

I therefore do not believe that the current application does enough to promote the licencing objectives, primarily in relation to the prevention of public nuisance which is linked very much to the prevention of crime and disorder.....another licencing objective.

Note that whilst this is not an exhaustive list of my concerns I would like this email to represent a formal objection to the issuing of a licence. This objection is based on inadequate steps proposed by Second City to adhere to or promote the licencing objectives. Application, at this point, should not be granted on this basis.

I look forward to hearing back from you on my comments.

Regards,

A large black rectangular redaction box covering the signature area of the email.

Re: objection to premises licence application 256231CT4: Second City, Unit 1, Cotton Square, Manchester, M4 5EP - WHAT HAPPENS NEXT.

[REDACTED]
Mon 05/04/2021 17:01

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

Dear [REDACTED]

Further to my email dated 24/03/21, in relation to licensing application by Second City for Unit 1 Cotton Square, please accept this email as further objection to the issuing of the licence. Additional reasons for the objection are outlined further below in this email.

However, before detailing these I would like to understand how Second City have already managed to take occupancy of the unit and commenced its conversion to a licenced premises without the actual licence being issued? My concern is that objections to the licensing application, made by local residents or others, are indeed fruitless as it would appear that Second City are already proactively getting themselves in a position to open.....something they surely wouldn't do should they have concerns about the licence being issued. Are the council simply going to issue this licence despite any valid objections that are made? I hope not, however the actions already being taken by Second City are making me concerned that the issuing of the licence is already a done deal. Any assurance you can provide me that this isn't the case, and that the council take these objections seriously, would be greatly appreciated.

In terms of the additional objections I would like to make:

The Prevention of Public Nuisance

- I have previously raised my concerns regarding the noise generated by patrons loitering/entering/leaving the bar and the effect that this will potentially have on the health and well-being, and the right to quiet enjoyment, of myself and other residents in the local area but specifically in Cotton House, the property directly above the unit.
- my concerns have since been further exacerbated upon some other key facts coming to light. These are namely:

A) the unit being used as a bar which will show live sports

B) proximity of main entrance/exit of bar to main entrance of Cotton House and bedrooms/living areas of Cotton House

The previous Second City was modelled as a sports bar and, at certain times, attracted a crowd that at best could be described as unsavoury. Crowds from the bar often gathered outside the entrance to the bar, generating significant noise nuisance, littering and polluting the area.

The location of the entrance, and business model of a bar showing live sports, facilitates higher levels of public nuisance (primarily noise) particularly for those residents living in Cotton House who would be in extremely close proximity to this nuisance.

In addition, I have specific concerns about nuisance caused by the cooking of food and how this could impact on local residents and their properties. Assurance that our soft furnishings won't end up smelling of fried chicken or other food stuffs is required.

Public Safety

The proximity of the bar entrance to the entrance of Cotton House may prove to be at best uncomfortable or at worst intimidating for Cotton House residents. Second City customers (who due to the showing of live sports will primarily, or at the very least significantly, be made up of groups of males) loitering outside as they did at the previous Second City bar is an issue or concern to public safety. This is particularly applicable to those Cotton House residents that are elderly, have children, or are females.....who, in light of the recent Sarah Everard tragedy, are experiencing more anxiety about their safety in public. They really should not have to experience this from Second City customers (or others) as they enter their own home.

I know that others will have contacted you in relation to noise generated from inside the unit and their concerns in relation to this being a nuisance. Please note that I would also like to raise this as a concern.

In summary,

- I oppose the issuing of the licence to Second City on the grounds that the granting of the application will not promote the four licensing objectives

I look forward to discussing this further with the licensing sub-committee and to working with both council and Second City to find a resolution which is both agreeable to all and positively promotes the four licensing objectives.

Many thanks,

██████

████████████████████

On 25 Mar 2021, at 11:05, Premises Licensing
<premises.licensing@manchester.gov.uk> wrote:

Dear Sir / Madam

This is to acknowledge receipt of your representation regarding the licence application for Second City, Unit 1, Cotton Square, Manchester, M4 5EP.

As per the Licensing Act 2003, we are required to provide the applicant with copies of all relevant representations that have been made; your representation, including your name and contact details, will therefore be passed to the applicant.

As a representation has been received the application will now go to a hearing before the licensing sub-committee. You will be invited to that hearing and advised of the date once the consultation period has closed on **05/04/2021**.

Fw: REF: 256231

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

Tue 06/04/2021 08:38

[REDACTED]

From: [REDACTED]

Sent: 05 April 2021 21:00

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

Subject: REF: 256231

Hello,

I write to you in relation to the licensing application for Second City at Unit 1, Cotton Square, Ancoats.

I believe the consultation process is still ongoing, so I'd like to know why work on the building has already begun?

It has been noisy and disrupting today while I have been working from home. This is alarm bells ringing because this is just people working on the building...not full with people, open and fully operational.

I have major concerns about the noise levels that will come with a sports bar right underneath the apartment block.

Second City has a notorious "bad" crowd and there were numerous issues with the bar last year. I witnessed fights outside the other Second City building, the scene attracting aggressive inconsiderate people to our neighborhood.

It makes me feel very uncomfortable that this might potentially be right outside the entrance to my apartment block.

The kitchen extraction that is planned to let out fumes directly next to bedrooms and roof terraces is absolutely ridiculous. I work in hospitality and know what this will mean. I would ask to see the extraction route plans for the building and ask to see if all options for extraction were explored and not just the easiest/cheapest option taken. Why couldn't extraction be planned for a route that would not affect residents of the building? This will impact our lives, not being able to open windows/ sit outside because of the smell.

I am well aware what dirty fryers smell like after a long day.

Overall

I strongly oppose Second City being granted a license for this unit as they have shown complete disregard for their neighbours already but not keeping us in the loop with their plans.

They have undertaken work illegally on a bank holiday, I have seen them in the building today.

They intend to operate a business which will create significant amounts of noise that has a high risk of impacting the health of neighbouring residents.

The ventilation system is in too close of a proximity to the residents living spaces and is a risk to health and wellbeing.

I would appreciate an answer on how I can stay informed of what will be happening and if anything can be done about this extraction route. I highly doubt that this was the only option available.

Regards,

[Redacted]

[Redacted]

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Fw: Premises licence application 256231

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

Tue 06/04/2021 08:37

[REDACTED]

From: [REDACTED]
Sent: 05 April 2021 22:32
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Premises licence application 256231

Dear Sir/Madam,

I am writing regarding the above licensing application for Second City at Unit 1, Cotton Square, Ancoats. I would like to formally object to the licence application. My partner and I are [REDACTED] within the Cotton House development. We have set out our objections below, with reference to the licensing objectives.

Firstly, we understood from the developers that the unit in question had planning permission for use as a restaurant only and having reviewed the licence application is *appears* to be for such. However, based on conversations fellow residents have had with the MD of Second City (the licence applicant) and also on the evidence of the previous Second City bar on Blossom Street it is very clear that the primary usage of the Unit will be a sports bar showing live sporting events.

I think it's obvious that there is a great difference between a sports bar and a restaurant in terms of the potential for a significant increase in public nuisance, noise nuisance and public disorder in Cutting Room Square - an area I'm sure you are aware is already becoming a hotspot for antisocial behaviour issues, which been raised at the highest levels of manchester council and the GMP.

With reference to the licensing objectives:

The Prevention of Crime and Disorder

- Last year a number of fights outside of Second City's previous location on Blossom Street were widely publicised in the MEN. I see no reason that moving the venue to an even larger unit on the same street will reduce this horrendous behaviour by Second City Patrons. That a new licence is being granted is astonishing given the cost of policing and cleaning the square last summer.

The Prevention of Public Nuisance

The construction of the Cotton House development is such that the residential properties townhouses 1-5 and flat 11 are directly above the unit in question and unlike other developments along Blossom Street there is very little space between the ceiling

of the unit and the floor of the properties above and at present there appears to be no sound proofing.

The townhouses are 3 bedroom owner-occupied family homes, some with young children. These are not student flats where noise nuisance might more easily be tolerated.

Public Safety

The above comments regarding noise also apply to public and environmental health as noise pollution especially where commercial units are directly underneath residential properties.

Second City have already shown they do not abide by local regulations nor are they considering their neighbours before they have even begun operating. Therefore, I have no reason to believe that should we encounter any form of issue with Second City once they are operating that they will abide to any rules or requirements of the proposed licensing arrangement.

Additionally the kitchen that is required for a restaurant of this size is going to create a significant amount of cooking fumes with the extractor directly letting out next to residents bedrooms and roof terraces.

In summary

- I strongly oppose Second City being granted a license for this unit as they have shown complete disregard for their neighbours already.
- They will create significant amounts of noise that has a high risk of impacting the health of neighbouring residents.
- The ventilation system is in too close of a proximity to the residents living spaces and is a risk to health and wellbeing.
- The business will undoubtedly increase crime and anti-social behaviour in the area.

Please could you acknowledge receipt of this objection and further keep us informed of the progress of this licence application and any other ways in which we can engage in the consultation process.

Thank you,

[Redacted signature]

[Redacted contact information]

Fw: Licence reference number 256231

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

Tue 06/04/2021 08:38

[REDACTED]

From: [REDACTED]

Sent: 05 April 2021 20:23

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

Subject: Licence reference number 256231

Hello

I am writing to register my objections to the proposals that Second City is making in opening its new facility on Blossom Street. These are under reference number 256231. I have also submitted in the on-line form.

From discussions with the owner, other residents of Cotton House, where I live, have discovered that whilst Second City is rebranding they will still be showing live sports in addition to more food and drink.

I strongly object to any business showing live sporting events in a unit next to Cotton House where I live, for the following reasons, in terms of three of the four licensing objectives: The prevention of crime and disorder, the prevention of public nuisance and public safety.

Sports bars (for that is effectively what this will continue to be if it is showing live sports in any sort of similar way to its previous facility) will encourage large numbers of people on match days, who are likely to congregate outside the entrance on Blossom Street. This is immediately next door to the entrance to Cotton House and I have real fears that it will be at times very crowded and potentially unpleasant coming in and out of Cotton House. We have seen last year some unpleasant scenes on Blossom Street from drinking on the street and this is only going to be compounded with the new Second City bar.

I am very concerned by the risk of crowding by or near the entrance to Cotton House and the tensions and issues that this could cause with groups standing outside consuming alcohol.

Normally it would be expected that a sports bar or similar would be located in a city centre location suited to bars. Whilst Ancoats has a good mix of bars and restaurants, the noise and the crowds from a sports bar are unsuited to what is a heavily populated residential area. The bar is immediately below living rooms and bedrooms of houses/apartments in Cotton House which is unsuitable.

I understand that Second City previously applied for late licences for certain sports events that run late into the night/early morning. Again, given the location underneath Cotton House these issues will be exacerbated and would be unacceptable if they were to continue.

Thank you for your consideration

[REDACTED]

day is the final day (until midnight) to get your comments/objections to Premises Licensing at the city council regarding Second City going in the unit below.

A quick update [REDACTED] they will still be showing live sports, in addition to more food and drink like Mackey Mayor. Additionally, the food extraction system is going to be directly between Townhouses 4 and 5 (between bedroom space and terrace space).

I personally strongly oppose any business showing live sporting events in the unit [REDACTED] for a couple of reasons:

1. There is only one entrance and exit and on match days the front of the building is potentially going to be extremely crowded, right next to our entrance to Cotton House.
2. The noise that is generated from places that show live sports is tremendous and is directly beneath living rooms and bedrooms.

If anyone wishes to register their comments/objections to the granting of the licence then you can email the premises licensing team directly on premises.licensing@manchester.gov.uk quoting reference number 256231.

If you do, it is helpful to structure your comments/objections according to the 4 licensing objectives:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety
- The protection of children from harm

Best wishes

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Fw: Premises licence application 256231

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

Tue 06/04/2021 08:39

[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 05 April 2021 19:45
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Premises licence application 256231

Hi there.

I am writing to you to put forward my objection for the premises application for Second City, Unit 1, Cotton Square.

My apartment is [REDACTED] Cotton house [REDACTED] already we are struggling to work from home with the consistent drilling and banging that goes on daily (One day last week before 8am) I can only imagine how difficult it will be to work from home once the venue is opened and will be serving patrons until midnight some nights.

The entrance to enter the bar is [REDACTED] and if outdoor seating is permitted, this will mean I will basically never be able to open my windows as the noise levels will be unbearable. I am aware of this already, as when the square is busy with Patrons, it is incredibly loud [REDACTED] therefore, if the public are then to be sat [REDACTED] - I just believe the situation will be somewhat uninhabitable on a long term basis & unfortunately do not look forward to residing [REDACTED] sports bar (although they have not disclosed this in their application- a tenant in cotton house has had verbal consent that they plan to play sports events. I can only imagine the nuisance and patrons this will attract directly below me!

Thank you.

[REDACTED]

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Fw: Ref: 256231/CT4: Second City, Unit 1, Cotton Square, Ancoats, M4 5EP

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

Tue 06/04/2021 08:39

[REDACTED]

From: [REDACTED]

Sent: 05 April 2021 19:14

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

Subject: Ref: 256231/CT4: Second City, Unit 1, Cotton Square, Ancoats, M4 5EP

Good evening,

I've recently been informed that the licencing at this premises is being considered for Second City.

I cannot see any supporting information on the portal, but have been advised that the extract is planned to vent into a residential street containing high level roof terraces. I work on a lot of similar projects, requiring ventilation and I must say this does not sound the most sensible solution – the unit has obviously not been designed for this purpose. I understand that there is a fine balance between commercial ventures and residences in Ancoats – which is what makes it unique – but this does not seem an appropriate occupant.

I would like to object for the following reasons:

1. Threat to public safety – particularly to residents through increased crime / disorder.
2. There are a number of residents of Cotton House with young families and many who (like me), when allowed would like to host relatives with young children. This proposed use has the potential to conflict with this, by making it potentially unsafe for children and all residents.
3. Public nuisance: Noise / vibration nuisance to residents in the surrounding area, particularly Cotton House – given the type of operator and knowledge of their unit nearby I can imagine this will be considerable.
4. Public nuisance: Odour nuisance – the seemingly poorly designed ventilation route is planned to expel onto an area which contains high-level terraces.
5. Public nuisance: Smokers are likely to congregate in front of the entrance (next to the resident's entrance) – so likely odours / litter.

This unit has been on the market for a long time, so I appreciate the owner must be keen for it to be occupied, but this unit does not appear to have been designed for this use. I urge the Council to consider the appropriateness of licensing this unit. If you do consider it to be an appropriate use, then can I request that you place restrictions on opening hours, bin-emptying hours etc., add management provisions to ensure people don't loiter / smoke at the entrance and also demand revisions to the ventilation route to avoid ventilating into habitable areas (i.e. a route to the highest point of the front block instead – which contains plant).

Many thanks,

[REDACTED]

[REDACTED]

Fw: Objection to proposal for Sports Bar in Cotton House

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

Tue 06/04/2021 08:39

[REDACTED]

From: [REDACTED]
Sent: 05 April 2021 18:13
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: [REDACTED]
Subject: Objection to proposal for Sports Bar in Cotton House

Dear Sirs,

I believe an application has been made for a licence for a Sports Bar on the ground floor of Cotton House in Ancoats. This application I believe has been made by Second City, who previously occupied another site in Cutting Room Square before it closed.

We strongly object to this licence being granted to Second City, as [REDACTED]. Whilst we always knew that this was a commercial space, we were led to believe that a family style Restaurant would occupy this space in keeping with similar family orientated establishments such as Canto, NAMM, Rudy's and The Counter House – not a sports bar.

We object for the following reasons:

1. Second City's business model has already led to their cliental causing multiple instances of drunken and violent disturbances in Cutting room square over last summer. Their business model attracts a younger male element looking for all day drinking whilst watching sport. Why would granting them a licence to open up 50 yards away from the previous location reduce the risk of this continuing to happen?
2. There is limited access and outside space in this location, leading to gatherings that could be another potential flash point from rival sports fan's congregating before or after the matches they are planning to screen.
3. The noise from inside and outside the venue will be a very clear disturbance to the residents of Cotton House as well as adjacent residents.
4. There are young families with children in Cotton House who will no doubt be subjected to football ground language fueled by alcohol when Second City encourages sports fans to attend all day sports events. Plus having to witness the previously experienced alcohol driven sports rivalry violence this type of establishment attracts.
5. The cutting room square development, its current businesses and residents are the pride of Manchester and show a diverse, young forward thinking example of how Manchester should want to be viewed by the rest of the UK. Why would you want to risk turning this

into a place for drunken young football fans to gather, drink and inevitably fight? The city council needs to think bigger, surely Manchester has moved on.

Regards,

A large black rectangular redaction box covers the signature and name of the sender.

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Fw: Objection : Second City Ref : 256231

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

Tue 06/04/2021 08:40

[REDACTED]

From: [REDACTED]

Sent: 05 April 2021 15:51

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

Cc: [REDACTED]

Subject: Objection : Second City Ref : 256231

Dear Sir/Madam

I hereby wish to register my objection in the strongest possible terms to the granting of a licence, reference no. 256231.

The proposed site for the kitchen extraction unit lies directly in between residential units and, given that this will run all day, will create pungent smells and reduce the air quality considerably. I strongly object to the proposal and I demand that this be reviewed.

Further, the existing site for Second City was well known for attracting anti social behaviour and creating public disturbances. The relocation of this business into a residential block will further serve to exacerbate the problem as it is directly below flats and apartments. This is unacceptable and I voice my objection in the strongest possible terms.

I trust that this objection will receive your serious attention as I assume the City Council treats the safety of its citizens as a high priority.

Sincerely

[REDACTED]

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Video footage was provided by this resident which has been provided to the applicant and to the Panel but has not been included in these papers.

Fw: Ref: premises licence application 256231

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

Tue 06/04/2021 08:40

[REDACTED]

From: [REDACTED]

Sent: 05 April 2021 14:02

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

Subject: Ref: premises licence application 256231

Dear [REDACTED]

I write to you in relation to the licensing application for Second City at Unit 1, Cotton Square, Ancoats.

First and foremost I would like to seek clarification as to why work has already commenced on this unit to convert it in to a bar when the consultation period is still open?

The work that has already begun has already become a major nuisance massively impacting our ability to work from home. I have attached a video of the noise so you can see this. Additionally, we have logged a noise complaint case with the council as the fit out of the unit is extremely disruptive with work being undertaken today on bank holiday Monday (which I thought was illegal). The out of hours noise complaints team have attended my property and witnessed the noise as well as the work that is going on in this property.

Secondly, in the licence application, specifically part 3 Operating Schedule, Second City have not ticked any boxes relating to the the provision of regulated entertainment (such as indoor sporting events etc) however I have personally spoken to the managing director of Second City and he has confirmed verbally he has every intention to continue to show live sport events as per previous licensing arrangements when he operated from a different unit within the square. Please can you clarify?

With regards to the licensing objectives, I highlight my concerns.

The Prevention of Crime and Disorder

- I have concerns about the level of crime and disorder already increasing in Ancoats.
- Last year fights outside of Second City whose business model revolves around showing sporting events attracted a number of people in summer months with video footage detailing brawls leaving a girl unconscious widely publicised in the MEN. Myself and other residents have major concerns about Second City going in Unit 1 as 4 townhouses and 3 apartments like directly above this unit.

The Prevention of Public Nuisance

- I am already concerned about the fitting of the unit as a public nuisance as demonstrated by the video I have attached. The drilling work that is going on in the unit at present can be heard (and the vibrations felt) to the top floor [REDACTED].
- In terms of the concern going forwards, I am greatly concerned given the amount of noise I can already hear [REDACTED] that a unit of this size, once filled with 150 people in a restaurant / watching live sporting events is going to be heard [REDACTED].
- [REDACTED]
- Additionally, we have concerns about this size of unit being used as a restaurant because there is only one entrance and exit to the unit, on Blossom Street, [REDACTED], as well as right next to the front door which leads into the Cotton House development. On sporting days Second City has had many people outside of its front door watching the sporting event from outside of the building, again another major concern.

Public Safety

- Noise disturbance does not only fall under public nuisance but also under public and environmental health as noise pollution can have extremely damaging effects in noise sensitive areas, especially where commercial units are directly underneath residential properties.
- Second City have already shown they do not abide by local regulations nor are they considering their neighbours before they have even begun operating. Therefore, I have no reason to believe that should we encounter any form of issue with Second City once they are operating that they will abide to any rules or requirements of the proposed licensing arrangement.
- Additionally the kitchen that is required for a restaurant of this size is going to create a significant amount of cooking fumes with the extractor directly letting out next to bedrooms and roof terraces.

Overall

- I strongly oppose Second City being granted a license for this unit as they have shown complete disregard for their neighbours already.
- They have undertaken work illegally on a bank holiday.
- They intend to operate a business which will create significant amounts of noise that has a high risk of impacting the health of neighbouring residents.
- The ventilation system is in too close of a proximity to the residents living spaces and is a risk to health and wellbeing.

I would be grateful if you could let me know how we stay abreast of the developments with this application, as well as how we can voice our opposition either face to face or over Zoom.

Regards,

[Redacted]

[Redacted]

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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 full CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally. 3. 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. 4. 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. 5. Any person left in charge of the premises must be trained in the use of any such CCTV equipment and be able to produce CCTV images to an officer from a responsible authority upon request. 6. The need for SIA registered door personnel will be risk assessed by a person in a managerial position. When employed, door staff will wear high visibility armbands. 7. When employed, a register of those door staff employed shall be maintained at the premises and shall include: <ol style="list-style-type: none"> 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 set aside for that purpose and under the control of the premises licence holder. 9. Staff will be trained in the laws relating to under age sales, and that training shall be documented and repeated at 6 monthly intervals. 10. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request. 11. A first aid box will 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. The exterior of the building and external area shall be cleared of litter at regular intervals.</p> <p>17. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.</p> <p>18. Doors and windows at the premises are to remain closed after 11pm, save for access and egress.</p> <p>19. A Dispersal and Smoking Policy will be implemented and adhered to.</p> <p>20. The emptying of bins into skips, deliveries and refuse collections will not take place between 10pm and 7:30am.</p> <p>21. 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>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 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.</p> <p>24. Notices advising what forms of ID are acceptable must be displayed.</p> <p>25. Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.</p>		
Conditions proposed by objectors	Agreed	Proposed by
None	N/A	N/A

**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 12 May 2021

Subject: 202 Kitchen, Unit B5 & B6, Left Bank, Manchester, M3 3AN - App ref: Premises Licence (new) 256242

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendation

That the Panel determine the application.

Wards Affected: Deansgate

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue None

Financial Consequences – Capital None

Contact Officers:

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

Name: Patrick Ware
Position: Technical Licensing Officer
Telephone: 0161 234 4858
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 09/03/2021, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of 202 Kitchen, Unit B5 & B6, Left Bank, Manchester, M3 3AN 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 Level202 Ltd.
- 2.3 The description of the premises given by the applicant is: Restaurant to be known as 202 Kitchen, a permanent site following the successful pop-up in Manchester. The premises are on the site of two previously licensed restaurants at Unit B5 (096991 Zizzi) and Unit B6 (096176 Gourmet Burger Restaurant).
- 2.4 The proposed designated premises supervisor is Camran James Adams

2.5 **The licensable activities applied for:**

Provision of regulated entertainment indoors (live music, recorded music):
Fri to Sat 11pm to 12 midnight

Non-standard timings:

Until 12 midnight on a Bank Holiday Sunday

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

Provision of late night refreshment:

Sun to Thu 11pm to 11:30pm, Fri to Sat 11pm to 12:30am

Non-standard timings:

Until 12:30am on a Bank Holiday Sunday
 From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day

The supply of alcohol for consumption both on and off the premises:
 Sun to Thu 11am to 11pm, Fri to Sat 11am to 12 midnight

Non-standard timings:
 Until 12 midnight on a Bank Holiday Sunday
 From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day

Opening hours:
 Sun to Thu 11am to 11:30pm, Fri to Sat 11am to 12:30am

Non-standard timings:
 Until 12:30am on a Bank Holiday Sunday
 From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day

- 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**.
- 2.8 **Further documentation accompanying the application**
- 2.8.1 The applicant has submitted the following documents in support of their application, which are included at **Appendix 5**:
- Premises Plan

3. **Relevant Representations**

3.1 A total of 13 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:

- MCC Trading Standards

Other Persons:

- Deansgate Ward Councillors;
- Residents (x11).

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Trading Standards	Concerns that the conditions offered do not go far enough to uphold the Protection of Children from Harm Licensing Objective, particularly in regard to home deliveries of alcohol.	Grant with reduced hours for sale of alcohol and with conditions
Deansgate Ward Councillors	Concerns regarding the operation of the premises as a bar rather than a restaurant and the conditions offered in relation to this; noise disturbance from music played in external areas and the late hour to which the external areas will remain open; noise and smoke disturbance to residents from patrons smoking and the lack of definition of the smoking area; access to residents' flats being impeded by patrons outside the premises; noise disturbance from waste and glass collection services late at night and early in the morning; nuisance caused by late-night delivery service; the lack of a condition regarding the management of taxi services; and the lack of appraisal, in accordance with Manchester's Licensing Policy, of the area in which the premises will operate including the way in which noise disturbance is transmitted around the built environment.	None
Residents	Concerns regarding the lateness of the terminal hour for premises in a residential	None

(x11)	area; noise disturbance caused by music, patrons, smokers, and increased traffic from taxis serving the premises on narrow private roads; the late hour to which the outside area will remain open; excessively early and late access for deliveries and waste collection; the lack of security ensuring patrons do not congregate when leaving the premises and need for door staff to control entry to the premises; the lack of definition of the outside area; and the way in which noise disturbance is transmitted around the built environment.	
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3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.

3.4 Agreement on conditions has been reached with Trading Standards

4. **Key Policies and Considerations**

4.1 **Legal Considerations**

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

4.2 **New Information**

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

4.3 **Hearsay Evidence**

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

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

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

4.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every

possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.

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

4.5 **Manchester Statement of Licensing Policy**

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

Section 6: What we aim to encourage

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

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

- Participation in Pubwatches, off licence forums and other crime-reduction partnerships
- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

Section 7: Local factors

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

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

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- The availability of transport to and from 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, 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
- 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)

MS12 Prevent underage sales of alcohol, including proxy sales

Section 9: Alcohol delivery services

This section sets out specific provisions for alcohol delivery services to be considered in conjunction with relevant standards from Section 8 of the Policy

Section 11: The use of tables and chairs on the public highway

This section provides that the operation of any areas on the public highway licensed for tables and chairs should be considered with regard to all relevant Standards set out in Section 8 of the Policy.

5. Conclusion

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

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



202 Kitchen
Unit B5 & B6, Left Bank, Manchester, M3 3AN

Premises Licensing
Manchester City Council

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Survey100019568.



PREMISE NAME: 202 Kitchen

PREMISE ADDRESS: Unit B5 & B6, Left Bank, Manchester, M3 3AN

WARD: Deansgate

HEARING DATE: 12/05/2021

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

Document is Restricted

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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 Level202 Ltd

(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 Units B5 & B6 (to be known as 202 Kitchen) Left Bank			
Post town	Manchester	Postcode	M3 3AN

Telephone number at premises (if any)	None
Non-domestic rateable value of premises	None (two units being merged)

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 | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <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 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:

Please tick yes

- 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) [INTENTIONALLY BLANK]

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	<input style="width: 90%;" type="text"/>
Surname			First names		
Date of birth					
Nationality					
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal 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) [INTENTIONALLY BLANK]

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					
Nationality					
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal 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)					

(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 Level202 Ltd

<p>Address</p> <p>Registered Office: 121 Livery Street, Birmingham B3 1RS</p> <p>Correspondence to: Woods Whur 2014 Ltd, St. James's House, 28 Park Place, Leeds LS1 2SP FAO: Luke Elford</p>
<p>Registered number (where applicable)</p> <p>12092272</p>
<p>Description of applicant (for example, partnership, company, unincorporated association etc.)</p> <p>Company</p>
<p>Telephone number (if any)</p> <p>c/o [REDACTED]</p>
<p>E-mail address (optional)</p> <p>c/o [REDACTED]</p>

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
A	S	A P

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 will be known as 202 Kitchen.

Following a successful pop-up in Manchester, 202 Kitchen have found a permanent site at units B5 & B6 Left Bank, Manchester M3 3AN.

Each unit respectively was licensed as follows:

Unit B5 - Premises Licence Number 096991

Sale of alcohol (on-sales only) from 11:00 until 00:00 Monday to Saturday and from 12:00 until 23:30 on Sunday

Recorded Music (indoors) from 11:00 until 00:30 Monday to Saturday and from 12:00 until 00:00 on Sunday

Late Night Refreshment (indoors) from 23:00 until 00:00 Monday to Saturday and from 23:00 until 23:30 on Sunday.

The opening hours of the premises were given as from 11:00 until 00:30 Monday to Saturday and from 12:00 until 00:00 on Sunday

Unit B6 - Premises Licence Number 096176

Sale of alcohol (on-sales only) from 11:00 until 23:00 Monday to Saturday and from 12:00 until 23:00 on Sunday

Recorded Music (indoors only) from 11:00 until 23:00 Monday to Sunday

The opening hours of the premises were given as from 11:00 until 23:00 Monday to Saturday and from 12:00 until 23:00 on Sunday

This application seeks:

Sale of alcohol (on and off-sales) from 11:00 until 23:00 Sunday to Thursday and from 11:00 until 00:00 Friday and Saturday

Late Night Refreshment (indoors only) from 23:00 until 23:30 Sunday to Thursday and from 23:00 until 00:30 Friday and Saturday

Regulated Entertainment (Recorded Music/Live Music - both indoors only) from 23:00 until 00:00 Friday and Saturday (hours different to previous licences due to deregulation)

Opening hours from 11:00 until 23:30 Sunday to Thursday and from 11:00 until 00:30 Friday and Saturday

Non-standard timings - as for Friday/Saturday on a Bank Holiday Sunday and on New Year's Eve

The layout of the premises will be as per the plans submitted with the application, please refer to these for further details.

The applicant has included a schedule of suggested conditions to promote the four licensing objectives and these are included with this application. Where appropriate, the applicant has replicated conditions from the previous premises licences and otherwise has volunteered conditions appropriate and proportionate for the applicant's operation.

Should anyone considering this application have any queries concerning the conditions/hours then they are invited to contact the applicant's licensing solicitor, Luke Elford.

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

N/A

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

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

Provision of regulated entertainment

Please tick any that apply

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

Provision of late night refreshment (if ticking yes, fill in box I)**Supply of alcohol** (if ticking yes, fill in box J)**In all cases complete boxes K, L and M**

A [INTENTIONALLY BLANK]

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

B [INTENTIONALLY BLANK]

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

C [INTENTIONALLY BLANK]

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

D [INTENTIONALLY BLANK]

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

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3) Occasional performances of live music for customers at the premises	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4) None		
Thur					
Fri	23:00	00:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) Until 00:00 on a Bank Holiday Sunday From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day		
Sat	23:00	00:00			
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3) The playing of recorded music for the entertainment of customers at the premises	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4) None		
Thur					
Fri	23:00	00:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) Until 00:00 on a Bank Holiday Sunday From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day		
Sat	23:00	00:00			
Sun					

G [INTENTIONALLY BLANK]

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

H [INTENTIONALLY BLANK]

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

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	23:30	Please give further details here (please read guidance note 3) The provision of hot food and hot drinks to customers at the premises	Both	<input type="checkbox"/>
Tue	23:00	23:30			
Wed	23:00	23:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) None		
Thur	23:00	23:30			
Fri	23:00		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 (please read guidance note 5) Until 00:30 on a Bank Holiday Sunday		
Sat		00:30			
Sun	23:00	23:30		From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day	

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	11:00	23:00	State any seasonal variations for the supply of alcohol (please read guidance note 4) None Note: Please refer to the applicant's schedule of suggested conditions for details of how the applicant will manage off-sales of alcohol		
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00			
Fri	11:00	00:00			
Sat	11:00	00:00			
Sun	11:00	23:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
			Until 00:00 on a Bank Holiday Sunday		
			From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name Camran James Adams	
Date of Birth	██████████
Address ██████████ ██████████ ██████████	
Postcode	██████████
Personal licence number (if known) 11/00270	
Issuing licensing authority (if known) Woking Borough Council	

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 8).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) None
Day	Start	Finish	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 (please read guidance note 5) Until 00:30 on a Bank Holiday Sunday From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day
Mon	11:00	23:30	
Tue	11:00	23:30	
Wed	11:00	23:30	
Thur	11:00	23:30	
Fri	11:00		
Sat		00:30	
	11:00		
Sun		00:30	
	11:00	23:30	

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 9)

Please refer to the applicant's schedule of suggested conditions to promote the four licensing objectives

b) The prevention of crime and disorder

As above

c) Public safety

As above

d) The prevention of public nuisance

As above

e) The protection of children from harm

As above

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 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11). **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
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	<p>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)</p> <ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	<i>Woods Whur</i>
Date	9 March 2021
Capacity	Solicitors for the Applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
<p>Luke Elford Woods Whur 2014 Ltd St. James's House 28 Park Place</p>			
Post town	Leeds	Postcode	LS1 2SP
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			



202 Kitchen
Units B5 & B6 Left Bank
Manchester M3 3AN

Applicant's schedule of conditions
to promote the Licensing Objectives

General - all four Licensing Objectives

1. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
2. There shall be a personal licence holder on duty on the premises from 19:00 until the premises closes to the public Monday to Sunday.
3. There shall be no admittance or re-admittance to the premises after 23:00 Sunday to Thursday and after 00:00 Friday and Saturday except for patrons permitted to temporarily leave the premises to smoke.
4. Waiter/waitress service shall be available at all times that the Premises is open for Licensable Activities.
5. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
6. All sales of alcohol for consumption off the premises shall only be to customers in person or via a delivery service.
7. There shall be no sales of alcohol for consumption off the premises to customers in person after 22:00 hours daily.

8. All sales of alcohol for consumption off the premises shall be in sealed containers. Customers shall not be permitted to consume alcohol bought for consumption off the premises either within the premises or immediately outside the premises.
9. When accepting a delivery order that includes alcohol (either by phone or online), the customer shall be reminded of the age verification policy used by the premises. Customers shall be asked to provide ID on delivery if they look younger than the age specified in the age verification policy. Restaurant staff shall remind delivery drivers if an order contains alcohol.
10. Off-sales of alcohol via a delivery service will only be delivered to a verified business or residential address.
11. Staff members shall be trained annually and commensurate with their role within the business in the following:
 - a. The Licensing Act 2003
 - b. The conditions of this Premises Licence
 - c. The premises' Challenge 25 policy
12. The Premises Licence Holder shall keep records of all staff training undertaken in the past 24 months. Copies shall be kept at the Premises and made available to Responsible Authority Officers on request.

The Prevention of Crime and Disorder

13. The Premises licence shall employ a minimum of 2 SIA Licensed Door Supervisors from 20:00 until 15 minutes after the premises closes to the public on a Friday and Saturday night.
14. The Premises Licence Holder shall additionally employ SIA Licensed Door Supervisors or at other times based on a documented risk assessment. A copy of the risk assessment shall be kept at the Premises and made available to Responsible Authority Officers on request.
15. The Premises Licence Holder shall devise, implement and maintain a Search Policy for the premises. A copy of the Search Policy shall be kept at the Premises and made available to Responsible Authority Officers on request.

16. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Manchester Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Responsible Authority Officers throughout the entire 31 day period.
17. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide Responsible Authority Officers copies of recent CCTV images or data with the absolute minimum of delay when requested.
18. An incident log shall be kept at the premises, and made available on request to a Responsible Authority Officer. It must be completed within 24 hours of the incident and will record the following:
- (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment (where used) or scanning equipment (where used)
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
19. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
- (a) The police (and, where appropriate, the Ambulance Service) are called without delay;

- (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
- (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
- (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

The Prevention of Public Nuisance

16. The Premises Licence Holder shall devise, implement, and maintain a Dispersal Policy for the Premises. A copy of the Policy shall be kept at the Premises and made available to Responsible Authority Officers on request.
17. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
18. Patrons permitted to temporarily leave and then re-enter the Licensed Area, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
19. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
20. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

- 21.No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 22.Any music played in external areas shall be background level only.
- 23.All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
- 24.Any external areas shall be kept closed from 23:00 daily with the exception of customers permitted to use the areas to smoke.
- 25.Customers using the external areas to smoke (after 23:00) shall not be permitted to take drinks or glasses with them.
- 26.The premises licence holder shall ensure that any customers drinking and/or smoking outside the premises and in external areas do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
- 27.All outside tables and chairs shall be rendered unusable by 23:00 each day.
- 28.The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
- 29.During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

30.No deliveries to the premises shall take place between 23:00 and 07:00 on the following day.

31.No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 and 07:00 on the following day.

32.No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 hours and 07:00 hours on the following day.

Public Safety

33.The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 200 persons.

34. From 22:00 daily the Premises Licence Holder shall designate a member of staff as responsible for customer welfare.

35.The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.

36.The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.

The Protection of Children from Harm

37.A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

38.From 21:00 daily any customers under the age of 18 shall be accompanied by an adult



Consent of individual to being specified as premises supervisor

I, **CAMRAN ADAMS** [REDACTED]

Nationality: [REDACTED]

Place of Birth: [REDACTED]

Of: [REDACTED]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for a premises licence

by **LEVEL202 LTD**

relating to premises licence **N/A - NEW PREMISES LICENCE APPLICATION**

for **UNITS B5 & B6 LEFT BANK, MANCHESTER M3 3AN**

and any premises licence to be granted or varied in respect of this application made by **LEVEL202 LTD**

concerning the supply of alcohol at **UNITS B5 & B6 LEFT BANK, MANCHESTER M3 3AN**

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number **11/00270**

Personal licence issuing authority **Woking Borough Council**

Signed [REDACTED]

Name (please print) **CAMRAN ADAMS**

Dated **22 FEBRUARY 2021**

For any queries regarding this form please contact:

Luke Elford

Woods Whur

St. James's House

28 Park Place

LEEDS LS1 2SP

e: [REDACTED] m: [REDACTED]

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
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PLEASE NOTE: ALL REPRESENTATIONS AND SUPPORTING EVIDENCE MUST BE SUBMITTED TO MANCHESTER CITY COUNCIL WITHIN 28 DAYS, STARTING THE DAY AFTER THE PREMISES IN QUESTION MAKES AN APPLICATION (TO FIND OUT THE CLOSING DATE CALL THE LICENSING UNIT ON 0161 234 4512)

ABOUT YOU		PLEASE NOTE: LICENSING OFFICERS, LICENSING COMMITTEE MEMBERS AND THE APPLICANT CAN VIEW THE INFORMATION PROVIDED ON THIS FORM
Your first name (required)	Your last name (required)	
Bernard	McMenamin	
Your address including postcode (required)		
Trading Standards Service 1 Hammerstone Road Manchester M18 8EQ		
Contact email address	Contact phone no	
Bernard.McMenamin@manchester.gov.uk	0161 234 1589	

ABOUT THE PREMISES
Application Ref No. (if known):
LPA 256242
Name of the Premises about which you would like to make a representation:
202 Kitchen
Address of the Premises (including postcode if known):
Unit B5 & B6, Left Bank, Manchester, M3 3AN

YOUR REPRESENTATION
Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)
<p>The Trading Standards Team have assessed the likely impact of the granting of this application taking into account a number of factors, including the conditions offered and times applied for and any potential risk that the granting of this application could lead to issues which do not uphold the licensing objectives specifically the protection of children from harm.</p> <p>The application is for a licence for the sale of alcohol on and off the premises in a city centre location.</p> <p>When considering the application, the Trading Standards Team have given consideration to Manchester City Councils Statement of Licensing Policy 2016 – 2021.</p> <p>The original application addresses many key points in protecting children from harm in this application but will benefit from these additional conditions.</p> <p>Giving consideration to the above application, the Trading Standards Team therefore recommend that if the application is granted we would ask for the following conditions.</p> <p>1. All staff engaged in the delivery of alcohol will be trained with regards to the Challenge 25 policy and proxy sales to persons under 18. This training will be documented, and training should be refreshed at no</p>

greater than 12 monthly Intervals. If a delivery service is to be used, confirmation of their challenge 25 policy and frequency of training should be provided to the licencing team.

2. At the point of delivery, the Challenge 25 policy should be operated. The only ID that should be accepted is a passport, photo driving licence, PASS accredited proof of age card or military identification card.
3. The Premises Licence Holder will ensure that a sticker is applied to all consignments of alcohol. It shall read "Note to delivery service, this package contains age restricted products. Ensure recipient is over 18".

Supporting Evidence: In addition to your own written / oral testimony to the Licensing Sub-Committee, you may wish to provide evidence to support your representation. You will need to show how this evidence relates to the premises in question. Examples of supporting evidence include oral testimony, written testimony, noise records, video or photographic material, crime and disorder data, other statistical data, reports etc.)

From: Bernard McMenamin <bernard.mcmenamin@manchester.gov.uk>
Sent: 20 April 2021 10:19
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: FW: Unit B5 & B6, Left Bank, Manchester M3 3AN

I have received this agreement to the conditions I made should the application be accepted. Will I need to attend the hearing?

Regards
Bernard

From: [REDACTED] >
Sent: 20 April 2021 09:50
To: Bernard McMenamin <bernard.mcmenamin@manchester.gov.uk>
Cc: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Unit B5 & B6, Left Bank, Manchester M3 3AN

Dear Bernard,

I hope this finds you well.

Copying in Patrick Ware from the licensing team.

I apologise for the delay in coming back to you regarding the conditions you requested in your objection (attached). I am making quite a few of these applications currently and it has been a case of switching attention from one to another as and when circumstances require. That hasn't been helped by the reopening of hospitality, which has kept me exceptionally busy and I am sure the same is true for you.

I have spoken to my client and they are happy to agree the three conditions you have suggested as follows:

1. All staff engaged in the delivery of alcohol will be trained with regards to the Challenge 25 policy and proxy sales to persons under 18. This training will be documented, and training should be refreshed at no greater than 12 monthly Intervals. If a delivery service is to be used, confirmation of their challenge 25 policy and frequency of training should be provided to the licencing team.

2. At the point of delivery, the Challenge 25 policy should be operated. The only ID that should be accepted is a passport, photo driving licence, PASS accredited proof of age card or military identification card.

3. The Premises Licence Holder will ensure that a sticker is applied to all consignments of alcohol. It shall read "Note to delivery service, this package contains age restricted products. Ensure recipient is over 18".

Would you kindly confirm to Patrick that takes care of concerns and that your objection can be treated as withdrawn?

Many thanks.

Kind regards,

Luke

Luke Elford

Woods Whur 2014 Limited

Tel: + [REDACTED] / [REDACTED] / Twitter: [REDACTED]

[REDACTED]
Woods Whur 2014 Limited, St James's House, 28 Park Place, Leeds LS1 2SP

Cllr 1

From:Joan Davies <cllr.joan.davies@manchester.gov.uk>

Sent:06 April 2021 23:51

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

Subject:Representation. Premises Licence (new) 256242/PW5: 202 Kitchen, Unit B5 & B6, Left Bank, Manchester, M3 3AN, (Deansgate ward)

Please find my representation, on behalf of Councillor Johns and myself, attached.

Please acknowledge receipt and inform me of the hearing date

Regards

Joan Davies

Councillor Joan Davies

Labour Councillor for Deansgate Ward, Manchester City Centre

07795 635 027

Representation from Councillor Joan Davies, supported by Councillor Marcus Johns

Premises Licence (new) 256242/PW5: 202 Kitchen, Unit B5 & B6, Left Bank, Manchester, M3 3AN, (Deansgate ward)

I wish to make a representation on this licence application. Please notify me of the date of the hearing planned for this application. I would be happy to discuss this application with the applicant and or solicitor representing the applicant in advance of the meeting. It might also be appropriate for there to be an opportunity to discuss this application with those residents who have made a representation.

I am not aware of the applicant having made any overtures to the residents living above the premises. This is disappointing. The location is within Leftbank 2 and Leftbank 6 buildings, largely residential with 120 apartments and approx 200 people including families, children and key workers, living above the premises which I believe will operate outside areas on both sides – front and back – of the building.

I am aware that these premises cover previously licenced areas as run by licenced restaurants Zizzi and Gourmet Burger. As I recall, when these two licences were established, there was some engagement between the applicant and the local councillors and residents. Assurances were given that the restaurants would run as restaurants and measures were adopted to ensure that this was the case. It is known that some premises operate as restaurants for a large part of the time, but that at late hours in busy periods they become stand up bars. A restaurant is likely to be far less of a disturbance to residents than a stand-up bar and so I do have concerns about the ability to meet the licensing objection of preventing public nuisance.

This application describes a restaurant, and then offers steps to achieve the licensing objections. I have some comments and questions about these.

Firstly, I would like to know whether these 'steps' are offered as licence conditions?

A number of the steps seems superfluous, unnecessary, or inapplicable to a restaurant

Specifically

No 3 : limiting readmittance after certain hours – restaurants do not need such a condition. Bars might

No 4 ‘Waiter/waitress service shall be available at all times that the Premises is open for Licensable Activities.’ What restaurant would not have waiter/waitress service?

No 5 ‘Substantial food etc ‘ as above

No 6 – ‘All sales of alcohol for consumption off the premises shall only be to customers in person or via a delivery service’ is this to avoid taxi collection?

No 32 ‘The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.’ Few restaurants have queues. They apply to late night very busy drinking establishments. Queues do tend to produce noise, If the restaurants are so popular that people are waiting it should be possible to have an alternative system using mobile phones and to prevent queues after certain hours.

No 37. ‘The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 200 persons’. Are there 200 covers? If not, the number should be reduced. If it is a restaurant there should be no standing customers.

No 38. ‘From 22:00 daily the Premises Licence Holder shall designate a member of staff as responsible for customer welfare.’ I am uncertain as to the purpose and implication of this condition. Why is customer welfare a concern in a restaurant?

Taken as a whole these steps seem more applicable to the needs of a busy bar. In fact, step 30 ‘The premises licence holder shall ensure that any customers drinking and/or smoking outside the premises and in external areas do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.’ does not mention dining at all, and seems to have been lifted from a licence in a different location.

One step which could be added would be a requirement that alcohol is only served to patrons who have ordered food.

I have other concerns.

Step 26 refers to music played in external areas. Which should be background only. In the hard surfaced landscape in Spinningfields noise travels in unexpected ways. Residents living above these areas will not wish to listen to the restaurant’s choice of music in their own homes. It would be simpler to have no external music. I believe this is appropriate for premises located underneath people’s homes. This allows residents quiet enjoyment of their own space, for relaxation, for study, for conversation and, increasingly, for work.

In addition, the external hours are listed as until 23.00 hours. Elsewhere in Spinningfields, in and around Leftbank, premises have external hours until 22.00, in recognition of the residential nature of the area.

In addition, the smoking area is not defined, and no time limitation is started for smoking. Again, this can lead to nuisance for residents living above, both of noise and of cigarette smoke.

The steps make no recognition of the needs for residents to have access to their buildings unhindered by patrons of licenced premises. It is essential that entrances are kept clear so that people returning home are not having to pass through customers, or smokers. This needs discussion with residents.

The waste and delivery hours are too generous to the premises, and will cause further disturbance, i.e. public nuisance, to residents. These need adjusting. 7.00am in particular is far too early. There are good examples elsewhere.

I haven't spotted a condition relating to throwing glass waste into bins. Perhaps I have missed this.

I am concerned about the late-night delivery service causing problems to residents, particularly given the road access issues in the area. There also needs to be a condition relating to the management of taxis etc late at night.

I am very concerned that, despite clear guidance in Manchester's Licensing Policy, the applicant seems to have made no real or detailed appraisal of the area in which they hope to operate. It is an area with a large number of residents, a mature residential postulation, many of whom have made a long-term commitment to city centre living. It is an area with a high level of pedestrianised space, which limits vehicular access to the premises. It is an area where hard landscapes bounce noise around. It is an area where a number of premises have sensibly restricted hours of operation, outdoor activity, delivery and waste collection., to accommodate the mixed-use nature of the area.

I have to consider that even if the current applicants are determined to deliver a successful restaurant operation which does not revert to a standing bar during busy periods, the application, if granted will be available to any future operators who might possibly take over the space. It is essential therefore that the licensing conditions are appropriate to the area. I believe it is possible to amend the conditions and hours to achieve a licence which respects neighbouring needs and ensures that the licensing objective of preventing public nuisance can be achieved.

Regards

Joan Davies
Councillor, Deansgate Ward

Res 1

From: [REDACTED] >
Sent: 13 March 2021 08:26
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Reference: 256242/PW5

Dear Sirs

I wish to write to you to strongly contest the above planning application. As a resident of Leftbank, having a premises directly below that can stay open to past midnight, serve alcohol until after midnight, and play music will be so detrimental to my daily life. The noise pollution will be terrible and it's bad enough with the other establishments in Spinningfields. It's not just the music from the venue but it's the screeching and shouting when the customers leave the venue, it's the smoke from the cigarettes in the smoking area and it's the extra traffic from taxis on small private roads that are not fit for this purpose...Our entrances to the car parks already get blocked off enough by taxis as it is.

I would also like to add that Leftbank has been identified as a building which requires intensive remediation works as a result of the introduction of the EWS1. This means they residents cannot sell or move because these flats are now unsellable. I am therefore stressing to you that I am trapped living in this flat for the foreseeable and I am begging you not to make this experience even more stressful and un-enjoyable by granting this licence.

I await your response.

Kind regards
[REDACTED]

Res 2

From: [REDACTED] >

Sent: 13 March 2021 20:10

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

Subject: LICENCE REF. NO 256242/PW5: 202 KITCHEN, UNIT B5 & B6, LEFT BANK

Dear Sirs

I would like to strongly object to the above licence being granted. I am a resident of Leftbank and it i believe it will be a detriment to the area and to my life as a resident. The licensing hours are far too late, the music is disruptive and so are the customers leaving the venues so late at night. They scream and they shout and it's absolutely horrific to live with. I cannot move because my apartment is currently subject to the fire safety issues affecting the majority of properties in Manchester. I am therefore stuck for the foreseeable and frankly this licence would make my life a living hell and I can do nothing about it because I cannot move out.

There are 390 apartments in Leftbank and frankly it is therefore a residential area, the licence must reflect that.

I re-iterate that I strongly object to this application.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Res 3

From: [REDACTED] >

Sent: 14 March 2021 12:52

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

Subject: Licence application 256242/PW5: 202 Kitchen, Unit B5 & B6, Left Bank, Manchester, M3 3AN

To the Premises Licensing team,

I'm writing in relation to the licence application 256242/PW5 for 202 Kitchen in the Left Bank building. I live in this building directly above these two units (address can be provided if required).

My comments on this licence are to ask that the conditions are made consistent with the other bars/restaurants locally (specifically for the Dockyard and Refinery). My understanding is that the Dockyard's outside seating area can only be used until 10pm - I would ask that the 202 licence is aligned with this. The same with delivery and rubbish disposal hours - I believe the 202 licence hours are more generous than for the Dockyard, etc but cannot see the current Dockyard licence online to be able to quote the specifics.

Finally, the issue of taxi down/pick up needs to be careful controlled as there is meant to be no stopping on the road directly outside these units and taxis queueing up here could cause quite a lot of noise nuisance given how close it is to a large number of flats in this building.

Thank you,

[REDACTED]

Res 4

From: [REDACTED] >
Sent: 14 March 2021 17:42
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Application 256242/PW5

Hi

I have serious objections and concerns regarding the application "256242/PW5".

This is in a residential apartment block with over 300 dwellings in the immediate vicinity and I believe the quoted hours of opening/service are excessive.

I believe the following reasons will inevitably cause both a public nuisance and disorder:

- This application for a late night bar is directly within a residential block of apartments
- The serving of alcohol after 11pm
- A large outdoor drinking/dining area directly beneath over 100 residential bedrooms
- No public road access allowing for drop off and taxi pick-up, which leads to loud exiting of premises - as is the case with The Refinery
- Excessively early and late access for deliveries and waste collection

Please let me know if you have any questions regarding my concerns noted in the above.

Thanks

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

Res 5

From: [REDACTED] >
Sent: 14 March 2021 20:02
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Application 256242/PW5

Hi

I have serious objections and concerns regarding the application "256242/PW5".

This is in a residential apartment block with over 300 dwellings in the immediate vicinity and I believe the quoted hours of opening/service are excessive.

I believe the following reasons will inevitably cause both a public nuisance and disorder:

- This application for a late night bar is directly within a residential block of apartments
- The serving of alcohol after 11pm
- A large outdoor drinking/dining area directly beneath over 100 residential bedrooms
- No public road access allowing for drop off and taxi pick-up, which leads to loud exiting of premises - as is the case with The Refinery
- Excessively early and late access for deliveries and waste collection

Please let me know if you have any questions regarding my concerns noted in the above.

Thanks

[REDACTED]

Res 6

From: [REDACTED] >
Sent: 16 March 2021 14:21
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Units 5 & 6 Leftbank 2 Spinningfields M3 3AF

Dear Sir/Madam

I am writing to voice my objection to the proposed application for a licensed premises in Units 5 & 6 under Leftbank [REDACTED].

My objections are the following:

I think the hours of trading should be in line with The Refinery and Dockyard - closing at 10pm.

Due to added waste collections and delivery hours, particularly at weekends, I feel they need to be at times that do not disturb residents. This is a residential area with many apartments in the area and whilst I appreciate we all live in the city and therefore should expect an element of noise I do think the area is extremely noisy and unsociable in the hours after 11pm as people spill out from neighbouring restaurants and bars.

There should be more security in the area making sure people do not congregate outside when leaving the premises. Prior to lockdown there was a lack of adequate security patrolling.

Kind regards

Yours faithfully

[REDACTED]
Leftbank resident

Res 7

From: webfeedback@manchester.gov.uk <webfeedback@manchester.gov.uk>
Sent: 16 March 2021 15:58
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Make representation to a licensing or gambling application

Question	Response
<i>First name:</i>	██████████
<i>Last name:</i>	██████
<i>Building number or name:</i>	████
<i>Street:</i>	██
<i>Area:</i>	Manchester
<i>Postcode:</i>	██████████
<i>Email :</i>	██
<i>Application reference number:</i>	256242/PW5
<i>Premises name (if known) and full address this representation relates to:</i>	202 Kitchen, Unit B5 & B6, Left Bank, Manchester, M3 3AN
<i>Which of the licensing objectives are relevant to your comments on this application: :</i>	The prevention of crime and disorder
<i>Which of the licensing objectives are relevant to your comments on this application: :</i>	The prevention of public nuisance
<i>Please state your comments on this application :</i>	Reference: 256242/PW5 Premises: 202 Kitchen, Unit B5 & B6, Left Bank, Manchester, M3 3AN Applicant: Level202 Ltd I make representation as a leaseholder and resident at ██████ Lefbank

Question**Response**

Manchester, as the licence will affect my property and my enjoyment of my property. My objections to the application are made on the grounds of prevention of crime and disorder and the prevention of public nuisance.

The proposed opening times of the venue are considered too late for a residential area, the front courtyard of the vacant units is very much an atrium (surrounded by Leftbank 2 and 6) and therefore sound is projected which causes a nuisance to the residents. I would therefore request that all service outside is restricted and completed by 10:00pm and the venue closes at 11:00pm all nights of the week including bank Holidays, as below

Provision of regulated entertainment indoors (live music, recorded music):

- Fri to Sat 10pm to 11PM

Non standard timings:

- Until 11pm on a Bank Holiday Sunday

Provision of late night refreshment:

- Sun to Thu to 11pm and Fri to Sat to 11pm

Non standard timings:

- Until 11 pm on a Bank Holiday Sunday

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

- Sun to Thu 11am to 11pm
- Fri to Sat 11am to 11pm midnight

Non standard timings:

- Until 11pm a Bank Holiday Sunday

Opening hours:

- Sun to Thu 11am to 11pm
- Fri to Sat 11am to 11pm

Non standard timings:

- Until 11pm on a Bank Holiday Sunday

With respect to the profession of crime and disorder the premises need to have security door services all evenings of the week from 8pm to one hour after closure at 11:00 pm. The application refers on a number of occasions to "respect the needs of local residents and use the area quietly" this is my experience does not happen, customers leave the premises and continue to scream and shout oblivious to the residential area, security is needed to move along customers out of the estate and take responsibility.

I would also comment:

No music to be played in external areas this "background level only" music is an unnecessary nuisance which can not be regulated outside and will be projected around the building.

Any external areas should be kept closed from 10:00pm daily except for customers permitted to use the areas to smoke. A designated smoking area with mechanical ventilation/filtration should be insisted on to reduce the level of smell and passive smoke.

All outside tables and chairs shall be rendered unusable by 9:30pm each day.

With respect to the nuisance, noise and disruption to residents from deliveries at 7am this is unacceptable and inconsiderate, no delivery is silent therefore:

No deliveries to the premises shall take place between 22:00 and

Question

Response

09:00 on all day.

No collections of waste or recycling materials (including bottles) from the premises shall take place between 22:00 and 09:00 on all days.

No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 22:00 hours and 09:00 hours all day.

Please consider the above representations.

██████████

16 March 2021

Res 8

From: [REDACTED] >
Sent: 18 March 2021 20:00
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Licence application 256242/PW5 202 Kitchen Units B5 & B6 Left Bank

I have the following comments to make regarding this licence. In summary

- I welcome the occupation of the two retail units
- The hours of operation exceed the practice of the other licenced premises in Spinningfields
- The proposed security and dispersal policies are insufficient for a venue potentially hosting 200 patrons
- Insufficient consideration to the residents living immediately above and around the premises
- Dispersal and proximity of taxis is a wider issue with the proposed bus gate on Bridge Street and previous issues with Salford venues

As an aside, the retail units are 'managed' by Workman and we have found them to be inadequate in enforcing their duties therefore the relationship between the venue and Left Bank residents is extremely important.

Specific points:

- The other retail units on Left Bank close at midnight even though their individual licences allow them to operate much later. This means music and late night refreshments are also curtailed
- There is no clear definition of the use of outdoor space except for smoking. The other retail units stop outside service at 10pm in respect for the Left Bank residents
- The issuance of a telephone number and a personal licence holder on site is greatly welcomed. Assurance that it will always be answered and appropriate action taken in the event of a query/complaint is requested regardless of how busy they are.
- The layout of the new premises with entry/exit points is not available to understand how security will be implemented but only 2 SIA licenced officers seem insufficient for 200 patrons.
- Notices to ask patrons to leave the venue quietly is insufficient. There must be a policy to manage the patrons and vocally remind them to be quiet and move away from the immediate area as quickly as possible. Equally, any queuing outside should be managed.
- Vehicle access is an issue as there isn't any parking around Left Bank, as a largely residential building., and there are strict parking rules around Spinningfields. This pushes vehicles onto Bridge Street. There are issues with retail units in Salford (specifically Menagerie) with cars (private and commercial) and we do not want any comparable issues. The proposed Bus Gate could impede easy vehicle dispersal
- Smoking areas should be restricted and carefully maintained with smells and waste minimised. Left Bank is a no smoking building and residents do not want to smell smoke (real or artificial).

- Outside activity including the moving of table and chairs, deliveries, waste disposal and waste collection should not occur after 10pm or before 8am for the consideration of residents. Ideally this should extend to 9am at the weekends and on all Bank Holidays.

I look forward to understanding changes to the licence and would happily discuss any of the points raised.

Regards

[Redacted]

[Redacted]

Res 9

From: [REDACTED] >
Sent: 25 March 2021 17:18
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Re: 202 Kitchen

Hi

[REDACTED]

I would like to understand where people will be allowed to smoke , will this be confined to a specific area , will this be allowed outside after 2300 , if this is not managed it could be a nuisance and if there is smoking around the entrances of the building for residents this could impact health . The building is deemed to be a fire risk due to cladding and internal walls issues has this been considered

There will be an increase in noise and nuisance, with people leaving the building how will this be managed has the impact of the increase in traffic been considered, taxis parking and using the horn , cars being outside and revving engines all experienced with menagerie

Regards

■

Res 10

From: [REDACTED] >
Sent: 31 March 2021 19:11
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Regarding premises license application 256242PW5: 202 Kitchen, Unit B5 & B6, Left Bank, Manchester, M3 3AN

Dear Sir/Madam

I object to this application on the grounds that it does not match the licence agreements with the other license premises in the immediate vicinity and will therefore cause us increased numbers of disturbed night's sleep. The allowance of live music under a residential block would be particularly problematic due to the creation of penetrating base sounds.

Further; should this license be granted, surely the other local businesses would wish to be granted the same.

I look forward to hearing your response.

Yours Sincerely,

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

Res 11

From: [REDACTED] >

Sent: 01 April 2021 17:20

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

Subject: Regarding premises license application 256242PW5: 202 Kitchen, Unit B5 & B6, Left Bank, Manchester, M3 3AN

Dear Sir/Madam

I object to the current application as referenced above.

Unless properly managed this business will blight the lives of the people living in the immediate 150 residential properties above - 250 people approx. - including families, children and key workers on shifts. Other licensed premisses locally manage to operate without the need to stay open until so late, or have live music. Why can you not limit the use of outdoor space to 10pm in line with other immediate premises - Dockyard & Refinery as examples plus Slug & Lettuce?

Then there is the matter of deliveries and waste management (especially glass) – why cannot hours be limited to between 8am and 8pm especially at weekends & Bank Holidays?

Our experience of living near the Menagerie – in the New Bailey complex - is that taxis will clog up the access road - sounding their horns in frustration – well after the official closing time as the revellers ‘enjoy themselves’ outside waiting. Also residents need access to the building using the same access road that these taxis will be clogging, leading to upset. We need clear access to residential entrances (especially LB2) remove any risk of a feeling of intimidation or vulnerability - especially for lone women. Experience has shown that this requires active management of taxi / vehicle arrivals and pick-up

Please can these issues be sorted before the licence is granted so that the residents and the customers of this new business can co-exist in harmony?

I look forward to hearing from you.

Yours Sincerely,

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

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<p><u>General - all four Licensing Objectives</u></p> <p>1. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.</p> <p>2. There shall be a personal licence holder on duty on the premises from 19:00 until the premises closes to the public Monday to Sunday.</p> <p>3. There shall be no admittance or re-admittance to the premises after 23:00 Sunday to Thursday and after 00:00 Friday and Saturday except for patrons permitted to temporarily leave the premises to smoke.</p> <p>4. Waiter/waitress service shall be available at all times that the Premises is open for Licensable Activities.</p> <p>5. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.</p> <p>6. All sales of alcohol for consumption off the premises shall only be to customers in person or via a delivery service.</p> <p>7. There shall be no sales of alcohol for consumption off the premises to customers in person after 22:00 hours daily.</p> <p>8. All sales of alcohol for consumption off the premises shall be in sealed containers. Customers shall not be permitted to consume alcohol bought for consumption off the premises either within the premises or immediately outside the premises.</p> <p>9. When accepting a delivery order that includes alcohol (either by phone or online), the customer shall be reminded of the age verification policy used by the premises. Customers shall be asked to provide ID on delivery if they look younger than the age specified in the age verification policy. Restaurant staff shall remind delivery drivers if an order contains alcohol.</p> <p>10. Off-sales of alcohol via a delivery service will only be delivered to a verified business or residential address.</p> <p>11. Staff members shall be trained annually and commensurate with their role within the business in the following:</p> <ul style="list-style-type: none"> a. The Licensing Act 2003 b. The conditions of this Premises Licence c. The premises' Challenge 25 policy <p>12. The Premises Licence Holder shall keep records of all staff training undertaken in the past 24 months. Copies shall be kept at the Premises and made available to Responsible Authority Officers on request.</p>	N/A	Applicant

Schedule of Licence Conditions

<u>The Prevention of Crime and Disorder</u>		
<p>13. The Premises licence shall employ a minimum of 2 SIA Licensed Door Supervisors from 20:00 until 15 minutes after the premises closes to the public on a Friday and Saturday night.</p> <p>14. The Premises Licence Holder shall additionally employ SIA Licensed Door Supervisors or at other times based on a documented risk assessment. A copy of the risk assessment shall be kept at the Premises and made available to Responsible Authority Officers on request.</p> <p>15. The Premises Licence Holder shall devise, implement and maintain a Search Policy for the premises. A copy of the Search Policy shall be kept at the Premises and made available to Responsible Authority Officers on request.</p> <p>16. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Manchester Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Responsible Authority Officers throughout the entire 31 day period.</p> <p>17. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide Responsible Authority Officers copies of recent CCTV images or data with the absolute minimum of delay when requested.</p> <p>18. An incident log shall be kept at the premises, and made available on request to a Responsible Authority Officer. It must be completed within 24 hours of the incident and will record the following:</p> <ul style="list-style-type: none"> (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, searching equipment (where used) or scanning equipment (where used) (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service. <p>19. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:</p>		

Schedule of Licence Conditions

<p>(a) The police (and, where appropriate, the Ambulance Service) are called without delay;</p> <p>(b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;</p> <p>(c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and</p> <p>(d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.</p> <p><u>The Prevention of Public Nuisance</u></p> <p>20. The Premises Licence Holder shall devise, implement, and maintain a Dispersal Policy for the Premises. A copy of the Policy shall be kept at the Premises and made available to Responsible Authority Officers on request.</p> <p>21. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.</p> <p>22. Patrons permitted to temporarily leave and then re-enter the Licensed Area, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.</p> <p>23. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.</p> <p>24. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.</p> <p>25. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.</p> <p>26. Any music played in external areas shall be background level only.</p> <p>27. All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.</p> <p>28. Any external areas shall be kept closed from 23:00 daily with the</p>		
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Schedule of Licence Conditions

<p>exception of customers permitted to use the areas to smoke.</p> <p>29. Customers using the external areas to smoke (after 23:00) shall not be permitted to take drinks or glasses with them.</p> <p>30. The premises licence holder shall ensure that any customers drinking and/or smoking outside the premises and in external areas do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.</p> <p>31. All outside tables and chairs shall be rendered unusable by 23:00 each day.</p> <p>32. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.</p> <p>33. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.</p> <p>34. No deliveries to the premises shall take place between 23:00 and 07:00 on the following day.</p> <p>35. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 and 07:00 on the following day.</p> <p>36. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 hours and 07:00 hours on the following day.</p> <p><u>Public Safety</u></p> <p>37. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 200 persons.</p> <p>38. From 22:00 daily the Premises Licence Holder shall designate a member of staff as responsible for customer welfare.</p> <p>39. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.</p> <p>40. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.</p> <p><u>The Protection of Children from Harm</u></p> <p>41. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are</p>		
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Schedule of Licence Conditions

<p>recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.</p> <p>42. From 21:00 daily any customers under the age of 18 shall be accompanied by an adult.</p>		
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 1. All staff engaged in the delivery of alcohol will be trained with regards to the Challenge 25 policy and proxy sales to persons under 18. This training will be documented, and training should be refreshed at no greater than 12 monthly Intervals. If a delivery service is to be used, confirmation of their challenge 25 policy and frequency of training should be provided to the licencing team. 2. At the point of delivery, the Challenge 25 policy should be operated. The only ID that should be accepted is a passport, photo driving licence, PASS accredited proof of age card or military identification card. 3. The Premises Licence Holder will ensure that a sticker is applied to all consignments of alcohol. It shall read "Note to delivery service, this package contains age restricted products. Ensure recipient is over 18". 	Yes (all)	Trading Standards
4. Alcohol shall only be served to patrons who have ordered food.	No	Cllr Davies
<ol style="list-style-type: none"> 5. All service outside shall be completed by 10:00pm and the venue shall close at 11:00pm all nights of the week including bank Holidays. 6. The premises shall have security door services all evenings of the week from 8pm to one hour after closure at 11:00 pm. 7. No music to be played in external areas. 8. Any external areas shall be kept closed from 10:00pm daily except for customers permitted to use the areas to smoke. A designated smoking area with mechanical ventilation/filtration should be insisted on to reduce the level of smell and passive smoke. 9. All outside tables and chairs shall be rendered unusable by 9:30pm each day. 10. No deliveries to the premises shall take place between 22:00 and 09:00 on any day. 11. No collections of waste or recycling materials (including bottles) from the premises shall take place between 22:00 and 09:00 on any day. 12. No waste or recyclable materials, including bottles, shall be moved, 	No	Resident 7

Schedule of Licence Conditions

removed from or placed in outside areas between 22:00 hours and 09:00 hours on any day		
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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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