



Licensing Sub Committee Hearing Panel

Date: Friday, 17 December 2021

Time: 10.00 am

Venue: Council Chamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Access to the Council Chamber

Public access to the Council Chamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension. There is no public access from any other entrance of the Extension.

Face Masks/Track and Trace

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Membership of the Licensing Sub Committee Hearing Panel

Councillors - Grimshaw (Deputy Chair), Andrews and Flanagan

Agenda

1. Urgent Business

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

2. Appeals

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

3. Interests

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

4. Application for a New Premises Licence - Beeswing MCR Ltd, Unit 2b Kampus, Aytoun Street, Manchester, M1 3DA

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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:

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

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**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 17 December 2021

Subject: Beeswing MCR Ltd, Unit 2b Kampus, Aytoun Street, Manchester, M1 3DA - App ref: Premises Licence (new) 265271

Report of: Director of Planning, Building Control and Licensing

Summary

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

Recommendation

That the Panel determine the application.

Ward Affected: Piccadilly

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue None

Financial Consequences – Capital None

Contact Officers:

Name: Fraser Swift
Position: Principal Licensing Officer
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Name: Ashia Maqsood
Position: Technical Licensing Officer
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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 02/11/2021, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Beeswing MCR Ltd, Unit 2b Kampus, Aytoun Street, Manchester, M1 3DA in the Piccadilly ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicants are Joe Maddock and Anna Tutton.
- 2.3 The description of the premises given by the applicant is: Wine bar/Café selling small plates of food throughout the day.
- 2.4 The proposed designated premises supervisor is Joe Maddock.
- 2.5 The licensable activities applied for are:

Provision of regulated entertainment (recorded music) both on and off the premises

Monday to Saturday 9am to 12am
Sunday 10am to 12am

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

Monday to Sunday 11am to 12am

Opening hours:

Monday to Saturday 9am to 12am
 Sunday 10am to 12am

- 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 not submitted any further documents in support of their application.

3. Relevant Representations

- 3.1 A total of 1 relevant representation was received in respect of the application (**Appendix 3**).

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;

- 3.2 Summary of the representations

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance (LOOH)	The LOOH team have objected to the application based on the grounds that the LOOH team have no confidence in the applicants understanding, of the licensing objectives and their ability to uphold them.	Refuse

	<p>LOOH state the applicant has offered conditions which are not applicable to their premises and which appear to have been cut and pasted from the Manchester City Council's Model Conditions, without giving any thought to how the conditions relate to the way they intend to operate the premises.</p> <p>LOOH further state that the conditions offered are those akin to a pub or club and by accepting the application in its current state, would be setting the premises up to fail as they would certainly be in breach of most of the conditions as soon as they start trading.</p>	
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3.3 Agreements on conditions have been reached with Greater Manchester Police (GMP) who have subsequently withdrawn their objection.

3.4 Conditions proposed by GMP and agreed, are set out in the Schedule of Conditions at **Appendix 4**.

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 New Information

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

4.3 Hearsay Evidence

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

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

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

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

4.5 **Manchester Statement of Licensing Policy**

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

Section 6: What we aim to encourage

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

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

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

Section 7: Local factors

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

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

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- Consistency with relevant Council strategies
- Ability to clean and maintain the street scene

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

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

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

Section 9: Alcohol delivery services

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

Section 10: Adult entertainment (including striptease, nudity and other entertainment of a sexual nature)

This section sets out specific considerations in respect of applications to provide adult entertainment, including entertainment of a sexual nature e.g. nudity, striptease and lap dancing.

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

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

Section 12: Premises Licences for large-scale public events

This section sets out particular expectations regarding large scale public events, given the specific associated risks.

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.**

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PREMISE NAME:	Beeswing MCR Ltd
PREMISE ADDRESS:	Unit 2b Kampus, Aytoun Street, Manchester, M1 3DA
WARD:	Piccadilly
HEARING DATE:	17/12/2021

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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 Mr Joe Maddock & Miss Anna Tutton.....

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Unit 2b Kampus Aytoun Street			
Post town	Manchester	Postcode	M1 3DA
Telephone number at premises (if any)		[REDACTED]	
Non-domestic rateable value of premises		£0 Under Construction	

Part 2 - Applicant details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership please complete section (B)
- ii as a partnership (other than limited liability) please complete section (B)
- iii as an unincorporated association or please complete section (B)
- iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club 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 (by ticking yes to one box below):

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start? DD MM YYYY

1	0	1	2	2	0	2	1
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If you wish the licence to be valid only for a limited period, when do you want it to end? DD MM YYYY

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Please give a general description of the premises (please read guidance note 1)

We will be operating as wine bar in the evening and cafe in the day time, selling small plates of food throughout the day. There will be a small bar area selling alcohol to our customers, 30 seats inside and 15 outside on our balcony (table service throughout). Our sales will consist mostly of wine and food, pushing towards an older market in the city centre. We are a small site just over 1000 (sqft) looking out onto the New Kampus development, with residents above and commercial property underneath, 24 hour security.

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

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

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

- | Provision of regulated entertainment (please read guidance note 2) | Please tick all that apply |
|--|----------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |

- f) recorded music (if ticking yes, fill in box F)
- 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

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

B

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

C

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

D

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

E

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

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	09:00	24:00			
Tue	09:00	24:00			
Wed	09:00	24:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	09:00	24:00			
Fri	09:00	24:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	09:00	24:00			
Sun	10:00	24:00			

G

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

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11:00	24:00			
Tue	11:00	24:00			
Wed	11:00	24:00			
Thur	11:00	24:00			
Fri	11:00	24:00			
Sat	11:00	24:00			
Sun	11:00	24:00			

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

Name Mr Joe Maddock	
Date of birth ██████████	
Address ██████████ ████████████████████ ██████████	
Postcode	██████████
Personal licence number (if known) ██████████	
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 9).
 N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	09:00	24:00	
Tue	09:00	24:00	
Wed	09:00	24:00	
Thur	09:00	24:00	
Fri	09:00	24:00	
Sat	09:00	24:00	
Sun	10:00	24:00	
			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 6)

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

<table border="1"><tr><td>See next page</td></tr></table>	See next page
See next page	

b) The prevention of crime and disorder

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c) Public safety

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d) The prevention of public nuisance

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e) The protection of children from harm

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Staff training (alcohol and vulnerability welfare)

- All staff authorised to sell alcohol shall be trained in (delete as appropriate):
 - Relevant age restrictions in respect of products
 - Prevent underage sales
 - Prevent proxy sales
 - Maintain the refusals log
 - Enter sales correctly on the tills so the prompts show as appropriate
 - Recognising signs of drunkenness and vulnerability
 - How overservice of alcohol impacts on the four objectives of the Licensing Act 2003
 - How to refuse service
 - The premises 'duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment; and how to report issues of modern slavery and trafficking
 - Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services
 - The conditions in force under this licence.
 -
- Training must include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed by the trainee.
- Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 [Insert: or specify] monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.

Preventing and dealing with drunkenness and vulnerability

- The premises shall have a documented Duty of Care policy for managing intoxicated and vulnerable customers and

dealing with incidents of harassment at the premises. The policy shall also include provision for persons refused entry to the premises who are also considered vulnerable by staff.

- The premises shall display prominent signage indicating [Insert: at any point of sale, at the entrance to the premises, in all areas where alcohol is located] that it is an offence to sell alcohol to anyone who is drunk.
- A Personal Licence holder must be present at the premises to supervise all sales of alcohol.
- A minimum of [Insert: specify number] persons must be employed and on duty at the premises between [Insert: specify days/hours] who are specifically tasked to maintain the safety of customers who may be vulnerable, ill or in distress as a result of alcohol and/or drug-related intoxication. Such persons must be trained on drunkenness, vulnerability, and drugs awareness in the night-time economy; and responding to these matters.
- The premises shall provide facilities for customers to securely recharge their mobile phones.

The prevention of crime and disorder

- alleged crimes reported to the venue or by the venue to the police
- ejections of patrons
- complaints received
- incidents of disorder
- seizures of drugs, offensive weapons, fraudulent ID or other items
- faults in the CCTV system, searching equipment or scanning equipment
- refusal of the sale of alcohol
- visit by a responsible authority or emergency service
- the times on duty, names and the licence numbers of all licensed door supervisors employed by the premises.
- suspicious behaviour by patrons or members of the public close to a venue.
- Incident logs (which may be kept electronically) must be kept at the premises for at least six months and made available on request to the police or an authorised officer of the licensing authority.

Preventing underage sales

- The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.
- The premises shall display prominent signage indicating [Insert either: at any point of sale, at the entrance to the

premises, or in all areas where alcohol is located] that the Challenge 25 scheme is in operation.

- The premises shall display prominent signage indicating [Insert either: at any point of sale, at the entrance to the premises, or in all areas where alcohol is located] that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.
- A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within specify days / hours or a reasonable time of a request by an officer of a Responsible Authority.

c) Public safety

- Being alert to suspicious behaviours and activity in and around your site, such as people loitering or displaying an unusual level of interest in asking questions, or filming or photographing. Note that you and your staff are well placed to know what is “normal” in your environment, and hence what may be suspicious. Where it feels safe to do so, consider engaging the person in a welcoming and helpful manner; if you have any concerns, consider reporting them to the police. Similarly, you and your colleagues should be alert to abandoned bags and other left items, and report any you deem suspicious to the police.
- Being security-minded in your communications, particularly online. Wherever possible, include positive general messages demonstrating your commitment to ensuring the security and safety of visitors and staff. Avoid providing specific information that could help a terrorist plan an attack, for example floor plans containing more detail than is necessary to assist customers with planning their visit, or details of where and when security patrols do (and don't) take place.
- Encouraging and enabling a security culture in the workplace, for example ensuring that any concerns can easily be reported and will be acted upon and ensuring that managers lead by example and avoid giving mixed messages.

d) The prevention of public nuisance

Preventing noise and other public nuisances

- All external windows and doors must be kept shut at all times when regulated entertainment is being provided. Doors may be opened for normal entrance and egress of people but must be shut immediately thereafter.
- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
- A noise limiting device must be installed and must operate at all times regulated entertainment takes place at the premises. The device must be of a type, in a location and set at a level [Insert: specify if known or approved in writing by the appropriate officer of the Council].
- The location and orientation of loudspeakers must be as specified on the attached premises plan.
- / acoustic door / acoustic curtains / acoustic door seals
- There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.

e) The protection of children from harm

-
- Where children are allowed on the premises, information shall be displayed in office on what to do if there is a cause for concern regarding a child's welfare. This shall include reporting to Manchester City Council via its Contact Centre on 0161 234 5000 or mcsreply@manchester.gov.uk, or the NSPCC on 0808 800 5000 (free 24-hour service) or dialling 999 in the event of an immediate threat.

Checklist:

Please tick to indicate agreement

I have made or enclosed payment of the fee.

I have enclosed the plan of the premises. /

Checklist:**Please tick to indicate agreement**

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or
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	service which confirmed their right to work (please see note 15)
Signature	Joe
Date	18/10/21
Capacity	owner

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

Signature	Anna
Date	18/10/21
Capacity	Owner

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

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Licensing & Out of Hours Compliance Team - Representation

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

Premise Details	
Application Ref No	265271
Name of Premises	Beeswing MCR Ltd
Address	Unit 2b Kampus, Aytoun Street, M1 3DA

Representation	
Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.	
<p>Licensing and Out of Hours Team (LOOHT) have assessed the likely impact of granting the licence, taking into account a numbers of factors, including, the nature of the area in which the premises is located, the hours applied for and any potential risk that the granting of this application could undermine the licensing objective.</p> <p>The applicant has made a few attempts at this application, on the first attempt they did not offer any conditions to uphold the licensing objectives, they were then offered some guidance from premises licensing regarding this. The applicant has now gone in the opposite direction of offering a whole host of conditions, which go beyond their operating model. The applicant state they are to be a small wine bar, offering thirty-five seats inside and fifteen seats outside, a café in the day and a wine bar at night offering table service, closing at midnight.</p> <p>The conditions offered are those akin to a pub or club and by accepting the application in its current state, would be setting the premises up to fail as they would certainly be in breach of most of the conditions as soon as they start trading.</p> <p>The applicant appears to have just cut and pasted from the Manchester City Council's Model Conditions without giving any thought to how it relates to the way they intend to operate. In doing so they have no details, where specific days, hours, numbers should be rendering the conditions unenforceable.</p> <p>LOOH have no confidence that the applicants have an understanding, of the licensing objectives and their ability to uphold them, Therefore LOOH ask that the application to be refused.</p>	
Recommendation:	Refuse Application

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<p>1. All staff authorised to sell alcohol shall be trained in:</p> <ul style="list-style-type: none"> a) Relevant age restrictions in respect of products b) Prevent underage sales c) Prevent proxy sales d) Maintain the refusals log e) Enter sales correctly on the tills so the prompts show as appropriate f) Recognising signs of drunkenness and vulnerability g) How overservice of alcohol impacts on the four objectives of the Licensing Act 2003 h) How to refuse service i) The premises 'duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment; and how to report issues of modern slavery and trafficking j) Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services k) The conditions in force under this licence. <p>2. Training shall include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed by the trainee.</p> <p>3. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council</p> <p>4. The premises shall have a documented Duty of Care policy for managing intoxicated and vulnerable customers and dealing with incidents of harassment at the premises. The policy shall also include provision for persons refused entry to the premises who are also considered vulnerable by staff.</p> <p>5. The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises and in all areas where alcohol is located that it is an offence to sell alcohol to anyone who is drunk</p> <p>6. A Personal Licence holder shall be present at the premises to supervise all sales of alcohol</p> <p>7. persons shall be employed and on duty at the premises who are specifically tasked to maintain the safety of customers who may be vulnerable, ill or in distress as a result of alcohol and/or drug-</p>	N/A	Applicant

Schedule of Licence Conditions

<p>related intoxication. Such persons must be trained on drunkenness, vulnerability, and drugs awareness in the night-time economy; and responding to these matters</p> <p>8. The premises shall provide facilities for customers to securely recharge their mobile phones</p> <p>9. Alleged crimes shall reported to the venue or by the venue to the police such as:</p> <ul style="list-style-type: none"> a) ejections of patrons b) complaints received c) incidents of disorder d) seizures of drugs, offensive weapons e) fraudulent ID or other items f) faults in the CCTV system, g) searching equipment or scanning equipment h) refusal of the sale of alcohol i) visit by a responsible authority or emergency service j) the times on duty, names and the licence numbers of all licensed door supervisors employed by the premises. k) suspicious behaviour by patrons or members of the public close to a venue. <p>10. Incident logs (which may be kept electronically) must be kept at the premises for at least six months and made available on request to the police or an authorised officer of the licensing authority</p> <p>11. -The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.</p> <p>12. The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises, or in all areas where alcohol is located that the Challenge 25 scheme is in operation.</p> <p>13. The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises, or in all areas where alcohol is located that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol</p>		
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Schedule of Licence Conditions

<p>14. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within specify days / hours or a reasonable time of a request by an officer of a Responsible Authority</p> <p>15. All external windows and doors must be kept shut at all times when regulated entertainment is being provided. Doors may be opened for normal entrance and egress of people but must be shut immediately thereafter</p> <p>16. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance</p> <p>17. A noise limiting device must be installed and must operate at all times regulated entertainment takes place at the premises. The device must be of a type, in a location and set at a level approved in writing by the appropriate officer of the Council</p> <p>18. The location and orientation of loudspeakers must be as specified on the attached premises plan</p> <p>19. acoustic door / acoustic curtains / acoustic door seals shall be used</p> <p>20. There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.</p> <p>21. Where children are allowed on the premises, information shall be displayed in office on what to do if there is a cause for concern regarding a child's welfare. This shall include reporting to Manchester City Council via its Contact Centre on 0161 234 5000 or mcsreply@manchester.gov.uk, or the NSPCC on 0800 800 5000 (free 24-hour service) or dialling 999 in the event of an immediate threat.</p>		
<p>Conditions proposed by objectors</p>	<p>Agreed</p>	<p>Proposed by</p>
<p>CCTV cameras are located within the premises to cover all public areas including all entrances and exits. The system records clear images permitting the identification of individuals. The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days. The CCTV system operates at all times while the premises are open for licensable activities. All equipment must have a constant and</p>	<p>Yes</p>	<p>GMP</p>

Schedule of Licence Conditions

accurate time and date generation. The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected. There are members of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).		
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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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