



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 11 July 2022

Time: 10.00 am

Venue: Council Antechamber, Level 2, 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**

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**Councillors** - Connolly, Andrews and Hewitson

## Agenda

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**1. Urgent Business**

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

**2. Appeals**

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

**3. Interests**

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

**4. Application for a New Premises Licence - YumCha, Unit 1B, Kampus, 44 Aytoun Street, Manchester, M1 3GL**

5 - 64

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

**5. Application for a Premises Licence Variation - Around A Pound Plus, 168 Hollyhedge Road, Manchester, M22 9UE**

65 - 154

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

## Information about the Committee

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

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

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

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

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

Smoking is not allowed in Council buildings.

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

## Further Information

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

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This agenda was issued on **Thursday, 30 July 2022** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 11 July 2022

**Subject:** YumCha, Unit 1B, Kampus, 44 Aytoun Street, Manchester, M1 3GL -  
App ref: Premises Licence (new) 274840

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

**Summary**

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

**Recommendations**

That the Panel determine the application.

**Wards Affected:** Piccadilly

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

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

Equal Opportunities Policy  
Risk Management  
Legal Considerations

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### **Financial Consequences – Revenue**

None

### **Financial Consequences – Capital**

None

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### **Contact Officers:**

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

Name: Patrick Ware  
Position: Technical Licensing Officer  
Telephone: 0161 234 4858  
E-mail: premises.licensing@manchester.gov.uk

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

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

## 1. **Introduction**

- 1.1 On 19/05/2022, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of YumCha, Unit 1B, Kampus, 44 Aytoun Street, Manchester, M1 3GL in the Piccadilly ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

## 2. **The Application**

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is YC Manchester Ltd.
- 2.3 The description of the premises given by the applicant is: The premises trades as an 80 cover Chinese Restaurant with an outdoor terrace for further seating of 24. The applicant is seeking the sale of alcohol with food for consumption on and off the premises.
- 2.4 The proposed designated premises supervisor is Adam Wan
- 2.5 **The licensable activities applied for:**

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

Mon to Sun 11am to 11pm

Opening hours:

Mon to Sun 11am to 1130pm

- 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 5**:

- Premises Plan

## 3. **Relevant Representations**

3.1 A total of one relevant representation was 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 Licensing and Out of Hours Compliance Team.

3.2 Summary of the representations:

<b>Party</b>	<b>Grounds of representation</b>	<b>Recommends</b>
<b>Licensing and Out of Hours Compliance</b>	Licensing Out of Hours feel that to fully uphold the Protection of Children from Harm Licensing Objective a condition needs to be added to exclude entry to unaccompanied persons under the age of 18.	Grant with condition

3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.

## 4. **Key Policies and Considerations**



#### 4.1 **Legal Considerations**

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

#### 4.2 **New Information**

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

#### 4.3 **Hearsay Evidence**

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

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

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

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

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

#### 4.5 **Manchester Statement of Licensing Policy**

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

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

- 4.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.
- 4.5.4 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy:

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

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

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

***Section 7: Local factors***

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

Having regard to the grounds of the representations made, the Panel are recommended to have regard to the following Factors: No factors have been identified.

***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.

- MS11 Ensure the wellbeing of children on the premises  
 MS12 Prevent underage sales of alcohol, including proxy sales

### **Conclusion**

- 4.6 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 4.7 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 4.8 Having regard to the representations, the Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to:
    - i. the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate, and
    - ii. any mandatory conditions that must be included in the licence;
  - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
  - c) To refuse to specify the person proposed in the application as the designated premises supervisor;
  - d) To reject the application.
- 4.9 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 4.10 All licensing determinations should be considered on the individual merits of the application.
- 4.11 The Panel’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 4.12 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 4.13 **The Panel is asked to determine the application**

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YumCha  
Unit 1B, Kampus, 44 Aytoun Street, Manchester, M1  
3GL

Premises Licensing  
Manchester City Council

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Survey100019568.



<b>PREMISE NAME:</b>	YumCha
<b>PREMISE ADDRESS:</b>	Unit 1B, Kampus, 44 Aytoun Street, Manchester, M1 3GL
<b>WARD:</b>	Piccadilly
<b>HEARING DATE:</b>	11/07/2022

**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I/We YC Manchester Ltd

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*(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			
YumCha Unit 1B Kampus Aytoun Street			
<b>Post town</b>	Manchester	<b>Postcode</b>	M1 3GL

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	0

**Part 2 - Applicant details**

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

- |  |                                     |                             |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals *                    | <input type="checkbox"/>            | please complete section (A) |
| b) a person other than an individual *               |                                     |                             |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability)   | <input type="checkbox"/>            | please complete section (B) |
| iii as an unincorporated association or              | <input type="checkbox"/>            | please complete section (B) |
| iv other (for example a statutory corporation)       | <input type="checkbox"/>            | please complete section (B) |
| c) a recognised club                                 | <input type="checkbox"/>            | please complete section (B) |

- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

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

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

**(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 YC Manchester Ltd
Address  Fernhills Business Centre Foerster Chambers Todd Street Bury Greater Manchester BL9 5BJ
Registered number (where applicable) 13713937
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited company
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD		MM		YYYY			
1	1	0	6	2	0	2	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)

The premises trades as an 80 cover Chinese Restaurant with an outdoor terrace for further seating of 24. The applicant is seeking the sale of alcohol with food for consumption on and off the premises.

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)
- 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**

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

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

C

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

**D**

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

**E**

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



**F**

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

**G**

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

## H

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

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)	
Mon	-----	-----		
Tue	-----	-----		
Wed	-----	-----	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)	
Thur	-----	-----		
Fri	-----	-----	<b>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</b> (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 <b>consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5) n/a		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00			
Fri	11:00	23:00			
Sat	11:00	23:00			
Sun	11:00	23:00			
			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6) n/a		

**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: Adam Wan	
Date of birth	[REDACTED]
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) Not yet issued	
Issuing licensing authority (if known)	



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

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5) n/a
Day	Start	Finish	<p><b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 6)</p>
Mon	11:00	23:30	
Tue	11:00	23:30	
Wed	11:00	23:30	
Thur	11:00	23:30	
Fri	11:00	23:30	
Sat	11:00	23:30	
Sun	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 10)**

The premises will operate to a high standard, and will do so should this licence be granted in terms of the sale of alcohol. 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.

All staff trained in:

- I. Recognising signs of drunkenness
- II. The premises' duty of care
- III. The conditions in force under this licence

**b) The prevention of crime and disorder**

CCTV is installed on the premises.

It shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police.

The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards.

The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority

The correct time and date will be generated onto both the recording and the real time image screen.

If the CCTV equipment (Including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified.

The premises Licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority or a constable.

There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during all trading hours.

All alcohol will only be available to purchase whilst seated at the tables provided, and to those customers waiting for a table.

The DPS will keep an up to date DPS Authorisation sheet which will show the list of staff members who have been given the authority to sell alcohol on the premises.

**c) Public safety**

Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police. All relevant fire procedures are in place for a premises of this size. An instore accident book will be in operation to record any accident/ injury incurred on the premises. This document will be retained for inspection by the store for a period of three years.

**d) The prevention of public nuisance**

Customers will be reminded by way of a notice at the entrance/ exit door to please leave the premises quietly and have consideration for the neighbouring properties.

The external bins will not be used for the deposit of business waste between the hours of 23:00 and 08:00 hours.

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

Only photographic ID is accepted (passport, driving licence, proof of age card with PASS hologram). Anyone who appears to be under the age of 25 is challenged to provide ID. If the customer is unable to provide identification then no sale is made. No ID no sale. Challenge 25 POS will be on display in the store. Any staff member who may be under the age of 18 must call a senior staff member to take over the sale and complete the transaction. If it is known that a customer intends to purchase alcohol to provide to minors then that sale will be refused. All refused sales will be recorded in a refusals book, which will be made available for inspection by Police or Licensing Officers of the council on request.



**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 (please read note 15).

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

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

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

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

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

	<ul style="list-style-type: none"> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
Signature	[REDACTED]
Date	12/05/2022
Capacity	Licence Agent

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
[REDACTED]			
SG Licensing Ltd 4 Brecon Close Grantham Lincolnshire			
Post town	<b>Lincolnshire</b>	Postcode	<b>NG31 8FX</b>
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

### Notes for Guidance

- 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.
- In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

**Consent of individual to being specified as premises supervisor**

Adam Wan

I

-----  
*[full name of prospective premises supervisor]*

Of



-----  
*[home address of prospective premises supervisor]*

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

A Premises Licence for Consumption on and off the Premises

-----  
*[type of application]*

by

YC Manchester Ltd

-----  
*[name of applicant]*

relating to a premises licence

-----  
*[number of existing licence, if any]*

for

YumCha

Unit 1B

Kampus

Aytoun Street

Manchester

M1 3GL

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

YC Manchester Ltd

-----  
*[name of applicant]*

concerning the supply of alcohol at

YumCha

Unit 1B

Kampus

Aytoun Street

Manchester

M1 3GL

-----  
*[name and address of premises to which application relates]*

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

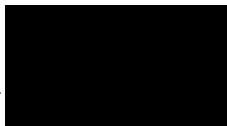
Not yet issued

-----  
*[insert personal licence number, if any]*

Personal licence issuing authority

-----  
*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed



Name (please print)

-----  
Adam Wan

Date

-----  
12/05/2022

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

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**MANCHESTER  
CITY COUNCIL**

**Licensing & 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	<a href="mailto:Margaret.lewis@manchester.gov.uk">Margaret.lewis@manchester.gov.uk</a>
Telephone Number	0161 234 1220/07795010291

**Premise Details**

Application Ref No	274840
Name of Premises	YumCha
Address	Unit 1B, Kampus, 44 Aytoun Street, Manchester, M1 3GL

**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.

Licensing and out of hours team (LOOHT) have assessed the likely impact of granting the licence taking into account a number of factors, including, the nature of the area in which the premises is located, the hours applied for and any potential risk that the granting of this licence could undermine the licensing objectives.

The premises is situated on the Kampus Site opposite Canal Street in the Village a busy vibrant area of the city. The premises is an 80 seater Chinese Restaurant with an outdoor terrace for further seating of 24. The applicant is seeking the sale of alcohol with food for consumption on and off the premises.

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

Opening hours:  
Mon to Sun 11am to 11:30pm

Their operating schedule has in the main covered the licensing objectives in relation to type of business, however LOOH feel that to fully uphold the licensing objective Protection of Children from harm the following condition needs to be added;

**Protecting Children from harm**

- Customers under the age of 18 shall not be permitted on the premises unless accompanied and supervised by a person over the age of 18 and for the purpose of a table meal.

Recommendation: Approve with Conditions (Outlined Above)

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## Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> <li>1. The premises will operate to a high standard, and will do so should this licence be granted in terms of the sale of alcohol. 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.</li> <li>2. All staff trained in:               <ol style="list-style-type: none"> <li>i. Recognising signs of drunkenness</li> <li>ii. The premises' duty of care</li> <li>iii. The conditions in force under this licence</li> </ol> </li> <li>3. CCTV is installed on the premises.</li> <li>4. It shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police.</li> <li>5. The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards.</li> <li>6. The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority</li> <li>7. The correct time and date will be generated onto both the recording and the real time image screen.</li> <li>8. If the CCTV equipment (Including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified.</li> <li>9. The premises Licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority or a constable.</li> <li>10. There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during all trading hours.</li> <li>11. All alcohol will only be available to purchase whilst seated at the tables provided, and to those customers waiting for a table.</li> <li>12. The DPS will keep an up-to-date DPS Authorisation sheet which</li> </ol>	N/A	Applicant

## Schedule of Licence Conditions

<p>will show the list of staff members who have been given the authority to sell alcohol on the premises.</p> <p>13. Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police. All relevant fire procedures are in place for a premises of this size. An instore accident book will be in operation to record any accident/ injury incurred on the premises. This document will be retained for inspection by the store for a period of three years.</p> <p>14. Customers will be reminded by way of a notice at the entrance/ exit door to please leave the premises quietly and have consideration for the neighbouring properties. The external bins will not be used for the deposit of business waste between the hours of 23:00 and 08:00 hours.</p> <p>15. Only photographic ID is accepted (passport, driving licence, proof of age card with PASS hologram). Anyone who appears to be under the age of 25 is challenged to provide ID. If the customer is unable to provide identification, then no sale is made. No ID no sale. Challenge 25 POS will be on display in the store. Any staff member who may be under the age of 18 must call a senior staff member to take over the sale and complete the transaction. If it is known that a customer intends to purchase alcohol to provide to minors, then that sale will be refused. All refused sales will be recorded in a refusals book, which will be made available for inspection by Police or Licensing Officers of the council on request.</p>		
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
<p>16. Customers under the age of 18 shall not be permitted on the premises unless accompanied and supervised by a person over the age of 18 and for the purpose of a table meal.</p>	No	Licensing and Out of Hours

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

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## Manchester City Council

### Report for Resolution

**Report to:** Licensing Subcommittee Hearing Panel – 11 July 2022

**Subject:** Around A Pound Plus, 168 Hollyhedge Road, Manchester, M22 9UE - App ref: Premises Licence variation 275183

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

#### Summary

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

#### Recommendations

That the Committee determine the application.

**Wards Affected:** Sharston

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

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

Equal Opportunities Policy  
Risk Management  
Legal Considerations

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Contact Officers:**

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

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

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

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

## 1. Introduction

- 1.1 On 20/05/2022, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of Around A Pound Plus, 168 Hollyhedge Road, Manchester, M22 9UE in the Sharston ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

## 2. Current Licence

- 2.1 The premises licence holder is Mulberry West Limited and a copy of the current licence is attached at **Appendix 2**.

## 3. The Application

- 3.1 A copy of the application is attached at **Appendix 3**.
- 3.2 The variation is to vary the opening hours and hours for the sale of alcohol to 24 hours a day. Between the hours of 11pm and 8am the premises will not be able to enter the premises and will be served through a 'night pay hatch' only.

Proposed hours and licensable activities:

Supply of alcohol for consumption off the premises only:

Current hours: Mon to Sun 8am to 11pm

Proposed hours: Mon to Sun 8am to 11pm and then 11pm to 8am with customers to be served through night pay hatch only

Opening hours:

Current hours: Mon to Sun 8am to 11pm

Proposed hours: Mon to Sun 8am to 11pm and then 11pm to 8am with customers to be served through night pay hatch only

- 3.2.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 3.2.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 3**.
- 3.3 **Activities unsuitable for children**
- 3.3.1 The applicant has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
- 3.4 **Steps to promote the licensing objectives**
- 3.4.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.
- 3.4.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 6**.

#### 4. **Relevant Representations**

- 4.1 A total of 6 relevant representations were received in respect of the application (**Appendix 5**). The personal details of all members of the public have been redacted. Original copies of these representation will be available to the Committee at the hearing.

##### Responsible Authorities:

- Greater Manchester Police;
- MCC Licensing and Out of Hours Compliance Team;
- Ward Councillors x3;
- Resident.

- 4.2 Summary of the representations: AMEND AS NECESSARY

Party	Grounds of representation	Recommends
<b>GMP</b>	<p>The Sharston area suffers from high levels of anti-social behavior and street drinking and the local policing team is working hard to address these issues.</p> <p>Therefore, the hours requested by the applicant for 24 hour alcohol sales are not suitable for a premises in this particular area</p>	Refuse



	<p>as the access to alcohol around the clock will almost certainly exacerbate these issues and see people's quality of life diminish.</p> <p>With the premises being so close to a college GMP are concerned that the premises could become a magnet for street drinkers as it would be selling alcohol earlier than other off licences in the area which means that they could well be drunk by the time the pupils begin to arrive for college and this could have a damaging effect on them.</p> <p>The applicant has failed to demonstrate how the extended hours and potential queue of people outside in the early hours won't cause a disturbance to the nearby residents.</p>	
<p><b>Licensing and Out of Hours Compliance</b></p>	<p>The application fails to outline the conditions that the applicant wishes to put forward in an acceptable format, or demonstrate how the four licensing objectives will be met</p> <p>All other premises permitted to sell alcohol in the local area, are permitted to sell alcohol no later than 22:00. There is concern that this premises will attract members of the public who wish to purchase alcohol late into the night and then stay in the area. Which will encourage street drinking and anti-social behaviour, as the premises has failed to describe how it would meet the Licensing objectives it would not be possible to see how the premises is going to meet these</p> <p>There is a concern that litter will</p>	<p>Refuse</p>

	also increase	
<b>Ward Councillors</b>	The granting of this variation would exacerbate existing antisocial behaviour in the local area	Refuse
<b>Resident</b>	The increased hours would appeal to younger people, those with addiction issues and those who are already intoxicated and this could undermine public safety. Groups could congregate outside the premises which would undermine the prevention of public nuisance objective.	Refuse

4.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 6**.

## 5. **Key Policies and Considerations**

### 5.1 **Legal Considerations**

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

### 5.2 **New Information**

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

### 5.3 **Hearsay Evidence**

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

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

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

5.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under

section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.

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

## 5.5 **Manchester Statement of Licensing Policy**

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

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

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

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

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

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

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

- Designing out crime in the layout of the premises

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

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

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

- Identified risk factors specific to the licensed premises
- 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 |
| MS11 | Ensure the wellbeing of children on the premises   |
| MS12 | Prevent underage sales of alcohol, including proxy sales   |

## **6. Conclusion**

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

- the prevention of crime and disorder
- public safety;
- the prevention of public nuisance; and

- the protection of children from harm.

- 6.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council's licensing policy statement.
- 6.3 The Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate;
  - b) To reject the whole or part of the application
- 6.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 6.5 However, conditions should not be imposed on a licence which are unrelated to the variation sought.
- 6.6 All licensing determinations should be considered on the individual merits of the application.
- 6.7 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 6.8 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 6.9 **The Panel is asked to determine the application.**

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Around A Pound Plus  
168 Hollyhedge Road, Manchester, M22 9UE

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# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	127953
Granted	22/05/2010
Latest version	Transfer 265402 granted 05/11/2021

### Part 1 - Premises details

Name and address of premises
<b>Around A Pound Plus</b> 168 Hollyhedge Road, Manchester, M22 9UE
Telephone number
01619458621

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

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

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0800	0800	0800	0800	0800	0800	0800
Finish	2300	2300	2300	2300	2300	2300	2300
The sale of alcohol is licensed for consumption off the premises only.							
Seasonal variations and Non-standard Timings:							
None							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0800	0800	0800	0800	0800	0800	0800
Finish	2300	2300	2300	2300	2300	2300	2300
Seasonal variations and Non-standard Timings:							
None							

## Part 2

## Details of premises licence holder

Name: Mulberry west ltd  
 Address: 168 Hollyhedge Road, Manchester, M22 9UE  
 Registered number: 13448473

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

Name: Mr Imran Salim  
 Address: [REDACTED]  
 Personal Licence number: [REDACTED]  
 Issuing Authority: [REDACTED]

## Annex 1 – Mandatory conditions

## Door Supervisors

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

## Supply of alcohol

2. No supply of alcohol may be made under this premises licence:
  - (a) At a time when there is no designated premises supervisor in respect of the premises licence or,
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence
4. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –

- (a) a holographic mark, or
- (b) an ultraviolet feature.

5. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.

(2) For the purposes of the condition set out in (1) above–

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) “permitted price” is the price found by applying the formula–

$$P = D + (D \times V)$$

where –

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

1. An effective and adequate CCTV system equipped with a recording facility shall be installed, maintained and operated at the premises. Recorded images will be retained for 14 days and shall be available to the Police upon request.
2. Whenever the DPS is not at the premises another person shall be nominated by them to be the responsible person to manage the premises.
3. The management and staff shall ensure that the premises and the area outside of the premises is kept free from litter.
4. If people congregate outside the store staff shall take all reasonable measures to move them on.
5. Anyone who appears to be under the age of 21 and who is attempting to purchase alcohol must be required to produce satisfactory "proof of age" that they are over the age of 18 before such sale is made. Only the UK photo driving licence, passport or government approved PASS cards shall be accepted as proof of age.

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

Not Applicable

#### Annex 4 – Plans

See attached

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

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**MANCHESTER  
CITY COUNCIL**

**Send completed application form to:**

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

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I/We MULBERRY WEST LTD

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	127953
-------------------------	--------

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
168 HOLLYHEDGE ROAD			
Post town	MANCHESTER	Postcode	M22 9UE

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 8000 p.a approx * Business Rates letter attached

**Part 2 – Applicant details**

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

**Part 3 - Variation**

Please tick as appropriate

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

Yes

No

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

DD	MM	YYYY

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

VARIATION OF OPENING HOURS TO 24hrs

MORE INFORMATION IS ON ADDITIONAL PAGES AT THE END OF THIS APPLICATION ON 'M-6'

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

--



**Part 4 Operating Schedule**

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

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

- |  |                          |
|--|--------------------------|
| a) plays (if ticking yes, fill in box A)   | <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)<br>(if ticking yes, fill in box H) | <input type="checkbox"/> |

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

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

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

A

N/A

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

**B**

N/A

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films 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 exhibition of films (please read guidance note 4)		
Thur			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

C

N/A

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

N/A

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

E

N/A

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>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	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the <u>performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

F

N/A

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

N/A

**G**

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance 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			<b>Please give further details here</b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					



H

N/A

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

N/A

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

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<p><b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)</p> <p>- FROM 0800 - 2300 → Premises will be accessible to the public</p> <p>- FROM 2300 - 0800 → Sale through 'Night Pay Hatch' only.</p> <p><b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)</p> <p style="text-align: center;">N/A</p>		
Mon	0800	2300			
	2300	0800			
Tue	0800	2300			
	2300	0800			
Wed	0800	2300			
	2300	0800			
Thur	0800	2300			
	2300	0800			
Fri	0800	2300			
	2300	0800			
Sat	0800	2300			
	2300	0800			
Sun	0800	2300			
	2300	0800			

**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	0800	2300	- FROM 0800 - 2300 → Premises will be accessible to the public
	2300	0800	
Tue	0800	2300	- FROM 2300 - 0800 → Sale through 'Night Pay hatch' only.
	2300	0800	
Wed	0800	2300	
	2300	0800	
Thur	0800	2300	<b>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</b> (please read guidance note 5)
	2300	0800	
Fri	0800	2300	N/A
	2300	0800	
Sat	0800	2300	
	2300	0800	
Sun	0800	2300	
	2300	0800	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

N/A

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

[Empty text box for providing reasons]

**M**

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

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

PLEASE SEE ADDITIONAL NOTES ON 'M-6'

**b) The prevention of crime and disorder**

PLEASE SEE ADDITIONAL NOTES ON 'M-6'

**c) Public safety**

PLEASE SEE ADDITIONAL NOTES ON 'M-6'

**d) The prevention of public nuisance**

PLEASE SEE ADDITIONAL NOTES ON 'M-6'

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

PLEASE SEE ADDITIONAL NOTES ON 'M-6'

Checklist:

Please tick to indicate agreement

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

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

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

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

Signature		
Date		
Capacity		

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

Signature	N/A
Date	
Capacity	

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

Same as on pg 1  
168 HOLLYHEDGE ROAD

Post town	MANCHESTER	Post code	M22 9UE
Telephone number (if any)			
If you		mail address (optional)	

### Notes for Guidance

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

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



**M-b**a) General

Our aim is to make the locality a better place and believe that the proposed timings will boost the customer experience and convenience greatly. We are aware of the Manchester City Council's massive push and investment inflow in this area as it is well connected with Manchester Airport on one side, Wythenshaw hospital to the other and enjoys great travel links with the town centre. We believe our proposed project will compliment this push.

This shop is in serving the local community for more than 10 years now and enjoys a good reputé in the local community. We are a complete convenience store and have realised the potential and requirement of late night business due to it being in the near vicinity to the Wythenshaw hospital.

A lot of people who are attending their relatives in the hospital have to travel far places such as in Rusholme to get the basic necessities such as baby pampers, snacks, drinks etc. Tesco Altrincham was a 24 hour store in this vicinity but they have decided to close at 12am. Then there is a local BP garage which hardly has the necessary supplies available at all times and the prices are extortionate.

We propose to only serve through the 'night pay hatch' after 11pm to ensure staff safety as is customarily for after 11pm convenience stores.

b) Prevention of Crime and disorder

We have already installed the most advance CCTV setup covering the inside of the shop and intend to boost it up by installing a few more HD cameras covering the outside parade. The area will be kept well lit outside to deter any obnoxious behaviour or gathering. We have and will continue to provide CCTV footage to Police and other relevant authorities shall there be a need. We intend to keep HD footage of all cameras for at least 30 days period. We have recently relayed the footpath in front of the shop and the facia is pretty new as well with modern visuals. The font of the shop is well lit with LED flood lights and strips. We believe that this vibrant setup will give a neat and lively look to the area and surely further deter anti-social activities.

We understand the demography of the area and over time have developed close ties to the local community. Our methodology is to pre-emptively deter any unwanted situation build up rather than reacting to a situation. We have successfully applied this method by ensuring the presence of one senior member of staff at the premises who is well known to the community.

We have undertaken some research regarding this 24 hours proposal and have been requesting customers' feedback. All feedback has been very positive and we are now asked when this change is happening. We don't expect that there will be any sort of trouble but we still have preventive measures in place as a responsible business. We intend to have two people present in the shop after 11, one serving the tills and the other on the shop floor replenishing and fetching items upon customer's demands. We intend to install 'Night Pay Hatch' to further ensure the safety of the staff and deter any unwanted intentions. Front and back doors will be kept locked from inside with access only to the staff inside or with authorised persons with the FOB keys. We have a full membership with Verisure with a

remote camera manned 24 hours off site by them. Smoke screens, motion detectors and independent security staff's prompt arrival to the premises is available, shall there ever be a need. I am pleased to confirm that we never had such a need in our more than ten years experience.

We imply a rigorous 'think 25' policy for all age restricted items and will continue to do so. As we aim to have an image of family friendly store that is compliant to the laws at all times and provides the best customer experience. We pay allot of attention to interacting with our customers and built rapport with them as we believe it will bring in a regular custom as well as a mutual great shopping experience.

c) Public Safety

We have recently rebuilt the footpath in front of our shop with tarmac and covered the potholes in the front parking area in order to ensure customer safety. As it is a private parade so we had to pay for it ourselves.

We are updating the fire alarms as the shop had a recent refit and some works are still in progress. All entry and exit doors will be kept clear at all times with visible signage.

We strive hard to follow most of the practicable procedures practiced by the 'big 4' retailers such as Asda, Tesco, Sainsburys and Morrisons. Our DPS has a vast experience in retail and has worked at Sainsburys in London at as a Manager in their Fulham branch.

Our waste is mainly of card board boxes and plastic wraps for which we have contracts in place with the well known commercial waste removal company on weekly basis for separate collection of recyclable card boards and general waste. Public bins are available on the parade of the shop for customers and public. We actively monitor the front of the shop to keep it clear of any rubbish at all times.

Management is accessible to the local residents for any concerns or complaints that we may get and actively try to resolve them.

'Challenge 25' policy is rigorously implements with prominent signage at the point of sale and all the relevant areas of the shop.

d) Prevention of public nuisance

Our strategy is based on the following methodologies which we regularly practice;

- By employing seasoned and reputable staff members who have teh 'presence' and personality to diffuse a building situation.
- Able to take matters up with the people in a friendly manner and in case of kids, bold enough to speak to their parents. As we know most of our customers by interacting with them on daily basis.
- Upholding the bans on habitual drunks, proxy purchasers or unwanted individuals who may cause nuisance. Based on experience we can confirm that such situations rarely arise given that we are here for a long time now. But we are well prepared to address any such situation without taking any undue risk on our staff.
- Active CCTV recoding and display unit.
- All staff trained on using CCTV to quickly play in case of an argument.
- Well lit shop inside and out.
- Gated back access which is kept locked when not in use.
- Shop layout and items for sale encouraging genuine shoppers with more focus on daily utilities, groceries, fresh and dairy.

e) the protection of children from harm

We rigorously imply 'Challenge 25' policy at all times with visible signage on point of sale and all relevant areas of the shop. We ask for the actual proof of ID and do not accept pictures on phones. All our staff is trained and regularly advised how to interact with underage people. We actively look out for proxy sales and advise the mature individuals of the legal implications if they are involved in the proxy purchase. We refuse the sale if we are satisfied that the age restricted item is not for their consumption. We have active outdoor CCTV cameras that we make use of for this purpose. Items that are not age restricted but we believe could be misused are kept away such as instant glues & medicines. By following our general methodologies listed in part (d) above we are satisfied that we stay compliant at all times and confident to face their parents that we are on the good side of law and child safety.

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

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## Schedule of Licence Conditions

<b>Conditions consistent with the operating schedule</b>	<b>Agreed</b>	<b>Proposed by</b>
1. The area outside the premises shall be kept well-lit. 2. At least two members of staff shall be present in the shop after 11pm. 3. All entry and exit doors will be kept clear at all times with visible signage.	N/A	Applicant
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
Not applicable		

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RE: Premises Licence variation 275183/CT4: Around A Pound Plus, 168 Hollyhedge Road, Manchester, M22 9UE, (Sharston ward)

Tim Whiston <cllr.tim.whiston@manchester.gov.uk>

Tue 24/05/2022 21:07

To:

- Emma Taylor <cllr.emma.taylor@manchester.gov.uk>;
- Tommy Judge <cllr.Tommy.Judge@manchester.gov.uk>;
- Premises Licensing <Premises.Licensing@manchester.gov.uk>

Good evening,

I agree with my ward colleagues about the ASB concerns and will not be supporting this application.

Kind regards,

Tim

**Cllr Tim Whiston** | Labour Member for Sharston Ward | Manchester City Council | Mobile: [REDACTED]

---

**From:** Emma Taylor <cllr.emma.taylor@manchester.gov.uk>

**Sent:** 24 May 2022 10:21

**To:** Tommy Judge <cllr.Tommy.Judge@manchester.gov.uk>; Premises Licensing <Premises.Licensing@manchester.gov.uk>

**Cc:** Tim Whiston <cllr.tim.whiston@manchester.gov.uk>

**Subject:** Re: Premises Licence variation 275183/CT4: Around A Pound Plus, 168 Hollyhedge Road, Manchester, M22 9UE, (Sharston ward)

Good morning,

I agree with my Ward colleague, Councillor Judge.

Unfortunately this area is blighted with litter and ASB and if this licensing application were to be granted I am concerned matters would be made worse.

I object to this application.

Best wishes,

Emma

**Councillor Emma Taylor**  
**Labour Member for Sharston**  
**Manchester City Council**

**M:** [REDACTED]

**Twitter:** @CllrETaylor

---

**From:** Tommy Judge <[cllr.Tommy.Judge@manchester.gov.uk](mailto:cllr.Tommy.Judge@manchester.gov.uk)>

**Sent:** Monday, May 23, 2022 11:00:44 AM

**To:** Premises Licensing <[Premises.Licensing@manchester.gov.uk](mailto:Premises.Licensing@manchester.gov.uk)>

**Cc:** Emma Taylor <[cllr.emma.taylor@manchester.gov.uk](mailto:cllr.emma.taylor@manchester.gov.uk)>; Tim Whiston <[cllr.tim.whiston@manchester.gov.uk](mailto:cllr.tim.whiston@manchester.gov.uk)>

**Subject:** RE: Premises Licence variation 275183/CT4: Around A Pound Plus, 168 Hollyhedge Road, Manchester, M22 9UE, (Sharston ward)

Thanks very much for this, I would be opposed to this as Anti Social behaviour is a major issue around the location of these shops and I believe this application would just add to it.

Regards

Tommy

---

**From:** Premises Licensing <[Premises.Licensing@manchester.gov.uk](mailto:Premises.Licensing@manchester.gov.uk)>

**Sent:** 23 May 2022 10:40

**Subject:** Premises Licence variation 275183/CT4: Around A Pound Plus, 168 Hollyhedge Road, Manchester, M22 9UE, (Sharston ward)

DO NOT REPLY TO THIS EMAIL – CONTACT  
[PREMISES.LICENSING@MANCHESTER.GOV.UK](mailto:PREMISES.LICENSING@MANCHESTER.GOV.UK) DIRECTLY

Date: 23 May 2022

## Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005

Dear Sir / Madam

I am writing to tell you that a licence application has been received for premises in Sharston ward as follows:

**Application Type:** Premises Licence variation

**Reference:** 275183/CT4

**Premises:** Around A Pound Plus, 168 Hollyhedge Road, Manchester, M22 9UE

**Applicant:** Mulberry West Limited

**Description of proposed variation as given by the applicant:**

Variation of opening hours and hours for the sale of alcohol to 24 hours a day. Between the hours of 11pm and 8am the premises will not be able to enter the premises and will be served through a 'night pay hatch' only.

**Proposed hours and licensable activities:**

Supply of alcohol for consumption off the premises only:

Current hours: Mon to Sun 8am to 11pm

Proposed hours: Mon to Sun 8am to 11pm and then 11pm to 8am with customers to be served through night pay hatch only

**Opening hours:**

Current hours: Mon to Sun 8am to 11pm

Proposed hours: Mon to Sun 8am to 11pm and then 11pm to 8am with customers to be served through night pay hatch only

## Steps to promote licensing objectives as given by the applicant

- We propose only to serve through the 'night pay hatch' after 11pm to ensure staff safety.
- We have already installed the most advance CCTV setup covering the inside of the shop and intend to boost it up by installing a few more HD cameras covering the outside parade. The area will be kept well-lit outside to deter any obnoxious behaviour or gathering. We have and will continue to provide CCTV footage to Police and other relevant authorities shall there be a need. We intend to keep HD footage of all cameras for at least 30 days period.
- 
- We have recently relayed the footpath in front of the shop and the facia is pretty new as well with modern visuals. The font of the shop is well lit with LED flood lights and strips. We believe that this vibrant setup will give a neat and lively look to the area and surely further deter anti-social activities.
- We intend to have two people present in the shop after 11, one serving the tills and the other on the shop floor replenishing and fetching items upon customer's demands.
- Front and back doors will be kept locked from inside with access only to the staff inside or with authorised persons with the FOB keys. We have a full membership with Verisure with a remote camera manned 24 hours off site by them. Smoke screens, motion detectors and independent security staff's prompt arrival to the premises is available, shall there ever be a need. I am pleased to confirm that we never had such a need in our more than ten years experience.
- We have recently rebuilt the footpath in front of our shop with tarmac and covered the potholes in the front parking area in order to ensure customer safety.
- All entry and exit doors will be kept clear at all times with visible signage.
- Our waste is mainly of cardboard boxes and plastic wraps for which we have contracts in place with the well-known commercial waste removal company on weekly basis for separate collection of recyclable card boards and general waste. Public bins are available on the parade of the shop for customers and public. We actively monitor the front of the shop to keep it clear of any rubbish at all times.
- We rigorously imply 'Challenge 25' policy at all times with visible signage on point of sale and all relevant areas of the shop. We ask for the actual proof of ID and do not accept pictures on phones.
- All our staff is trained and regularly advised how to interact with underage people. We actively look out for proxy sales and advise the mature individuals of the legal implications if they are involved in the proxy purchase. We refuse the sale if we are satisfied that the age restricted item is not for their consumption. We have active outdoor CCTV cameras that we make use of for this purpose.

The application is in consultation until midnight on [17/06/2022](#).

Any comments must be made in writing to [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk) no later than [17/06/2022](#) and outline your reasons for making the representation, including any supporting

information.

Comments must be relevant to how you think the granting of the application would affect the promotion of the four licensing objectives below:

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

This application is also summarised on our website: [www.manchester.gov.uk/licensing](http://www.manchester.gov.uk/licensing)

Please continue to check the council's register of licence applications and notices on premises in your local area as this information is only sent by email to our mailing lists as a courtesy.

Yours sincerely

Chloe Tomlinson

Premises Licensing  
 Growth and Development  
 Manchester City Council  
 Level 1 Town Hall Extension  
 Albert Square  
 PO Box 532  
 M60 2LA  
 Email: [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)  
 Web: [www.manchester.gov.uk/licensing](http://www.manchester.gov.uk/licensing)

To tell us how we're doing with our online feedback form [click here](#).

Please reply with history only and not to individual officers

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**Fw: ref. 275183/CT4**

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

Sun 05/06/2022 16:10

To: [REDACTED]

GH

Premises Licensing  
Growth and Development  
Manchester City Council  
Level 1 Town Hall Extension  
Albert Square  
PO Box 532  
M60 2LA  
Email: [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)  
Web: [www.manchester.gov.uk/licensing](http://www.manchester.gov.uk/licensing)

To tell us how we're doing with our online feedback form [click here](#).

Please reply with history only and not to individual officers

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**From:** [REDACTED]  
**Sent:** 01 June 2022 16:42  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** ref. 275183/CT4

You don't often get email from [REDACTED] [Learn why this is important](#)

I object to the extension of the licensing hours for the above property/business at Around A Pound Plus, 168 Hollyhedge Road, Manchester, M22 9UE for the following reasons.

This application fails to make any contribution to the promotion of any of the four required objectives

- The prevention of crime and disorder - the link between alcohol and crime, particularly violent crime, is well documented.
- Public safety - It will inevitably appeal to younger people and those already intoxicated on their way home from other licensed premises, with significant risk to the safety of residents and other public
- The prevention of public nuisance - it will inevitably result in groups congregating outside the premises and other properties during the night and the increased consumption of alcohol in public places.
- The protection of children from harm - the serving of alcohol from a hatch will make it impossible to adequately ensure alcohol is not served to minors; disputes will inevitably arise when service is refused, it will be more expedient for staff to allow minors to purchase alcohol than to control an angry group. It will enable those with an alcohol problem or history of violence with alcohol to feed that habit during the night and/or bring it back into the family home.

Further, the applicant for this license is a sole director of this and another company, both with obscure company names; a simple check reveals no records, no history, and no accounts.

This area needs 24/7 public transport, pharmacy services and primary health care. It does not need any more alcohol sales, there is a glut of such places already.

I am certain this application will be refused as the unnecessary and harmful attempt to promote more alcohol problems it is.

Yours



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# GREATER MANCHESTER POLICE - REPRESENTATION

## About You

Name	PC Alan Isherwood
Address including postcode	Manchester Town Hall Extension Lloyd Street Manchester M2 5DB
Contact Email Address	alan.isherwood@gmp.police.uk
Contact Telephone Number	0161 856 6017

## About the Premises

Application Reference No.	LPV 275183
Name of the Premises	<b>Around A Pound Plus</b>
Address of the premises including postcode	<b>168 Hollyhedge Road, Manchester M22 9UE</b>

## Your Representation

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

Please accept this as formal notification of the Greater Manchester Police objection to the application for a premises licence variation in relation to the above premises.

The grounds for the objection are the Prevention of Crime and Disorder, the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.

The premises are situated in close proximity to numerous residential properties.

The Sharston area suffers from high levels of anti-social behavior and street drinking and the local policing team is working hard to address these issues.

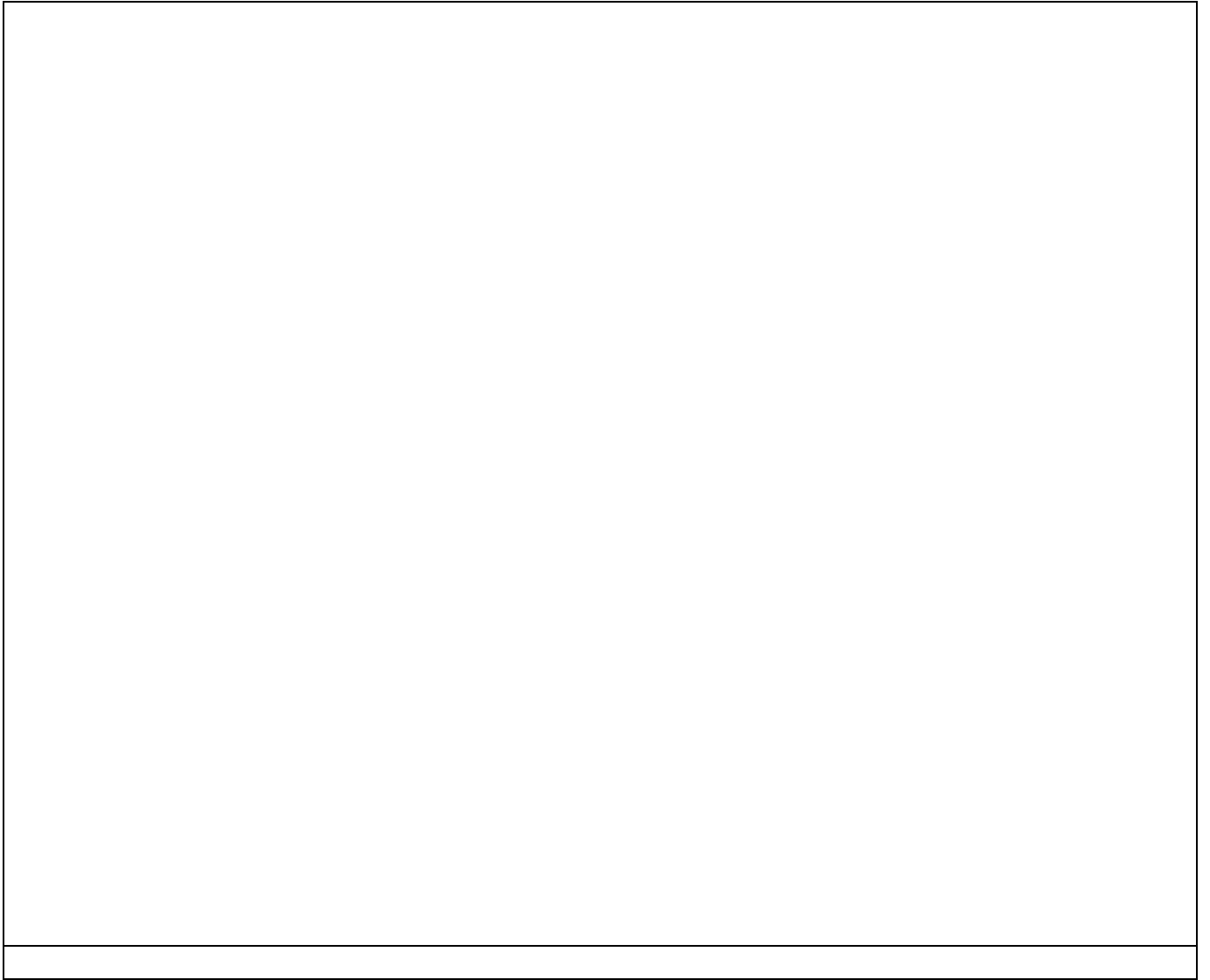
Therefore, the hours requested by the applicant for 24 hour alcohol sales are not suitable for a premises in this particular area as the access to alcohol around the clock will almost certainly exacerbate these issues and see people's quality of life diminish.

With the premises being so close to a college GMP are concerned that the premises could become a magnet for street drinkers as it would be selling alcohol earlier than other off licences in the area which means that they could well be drunk by the time the pupils begin to arrive for college and this could have a damaging effect on them.

The applicant has failed to demonstrate how the extended hours and potential queue of people outside in the early hours won't cause a disturbance to the nearby residents.

Therefore, GMP asks that this application is refused.







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

Name	Tracy Griffiths
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	Tracy.griffiths@manchester.gov.uk
Telephone Number	0161 219 2559

Premise Details	
Application Ref No's	275183
Name of Premises	Around a Pound Plus
Address	168 Hollyhedge Road, Manchester, M22 9UE

Representation
<p>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> <p>The Licensing and Out of Hours Team (LOOHT) in our capacity of an Environmental Health Responsible Authority have assessed the likely impact of the grant of this application taking into account a number of factors, including the nature of the area in which the premises is located, the hours applied for and any potential risk that the granting of the licence could have on the licensing objectives.</p> <p>The applicant has submitted an application to vary a premises licence, to extend the terminal hours, allowing the premises to carry out the following licensable activities 24 hours per day, 7 days per week.</p> <ul style="list-style-type: none"> <li>• The sale by retail of alcohol</li> </ul> <p>The premises currently is permitted to carry out these activities between 08:00 and 23:00 daily.</p> <p>The premises is located in a small row, set back from the main road (Hollyhedge Road), with commercial properties on both sides of the road and residential properties above them. Commercial properties include licences/grocery stores, takeaways, betting shops, pharmacies and other retail. The premises is located in an area that is predominantly residential, and has a high level of anti-social behaviour and litter.</p> <p>LOOHT have the following concerns:</p> <ul style="list-style-type: none"> <li>• The application fails to outline the conditions that the applicant wishes to put forward in an acceptable format, or demonstrate how the four licensing objectives will be met</li> <li>• All other premises permitted to sell alcohol in the local area, are permitted to sell alcohol no later than 22:00. There is concern that this</li> </ul>

premises will attract members of the public who wish to purchase alcohol late into the night and then stay in the area. Which will encourage street drinking and anti-social behaviour, as the premises has failed to describe how it would meet the Licensing objectives it would not be possible to see how the premises is going to meet these

- There is a concern that litter will also increase

After considering the application the Licensing and Out of Hours Team in our capacity as the Environmental Health Responsible Authority recommend that this application refused.

Recommendation: Refuse Application

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of the Local Government Act 1972.

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