



Licensing Sub Committee Hearing **Panel**

Date: Monday, 5 September 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.

There is no public access from any other entrance of the Extension.

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Grimshaw, Evans and T Judge

Agenda

1. Urgent Business

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

2. Appeals

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

3. Interests

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

4. Application for a New Premises Licence - Mayfield Park, Baring Street, Manchester

5 - 96

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

5. Application for a New Premises Licence - Lakeside Café, Heaton Park, Middleton Road, Manchester, M25 2SW

97 - 136

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

Information about the Committee

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

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

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

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

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

Smoking is not allowed in Council buildings.

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

Further Information

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

Ian Smith
Tel: 0161 234 3043
Email: ian.hinton-smith@manchester.gov.uk

This agenda was issued on **Wednesday, 24 August 2022** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

This page is intentionally left blank

**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 5 September 2022

Subject: Mayfield Park, Baring Street, Manchester - App ref: Premises Licence (new) 276230

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	
---	--

Full details are in the body of the report, along with any implications for:

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

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

Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 21/06/2022, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Mayfield Park, Baring Street, Manchester 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 Mayfield Development Partnership LP.
- 2.3 The description of the premises given by the applicant is a new 6.5 acre city centre park situated in Manchester City Centre. The premises will operate as park 365 days per year and it is intended that events of various size will use the park from time to time.
- 2.4 The proposed designated premises supervisor is Jonathan Paul Drape.

2.5 **The licensable activities applied for:**

Provision of regulated entertainment (plays, films, indoor sporting events, boxing or wrestling entertainment, live music, recorded music, performances of dance) (indoors & outdoors):
Mon to Sun 9am to 11pm

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

Opening hours:
Mon to Sun 24 hours per day

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

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

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

2.6 Activities unsuitable for children

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

2.7 Steps to promote the licensing objectives

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

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

2.8 Further documentation accompanying the application

2.8.1 The applicant has submitted the following documents in support of their application, which are included with the application form at **Appendix 5**:

- Plan of Premises

3. Relevant Representations

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

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;

Other Persons:

- Residents (x8).

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	Officers are not fully satisfied that the conditions offered are sufficient to uphold the four licensing objectives. LOOH therefore recommend the addition of conditions to the Premises licence including rewritten conditions	Grant with conditions

	offered by the applicant.	
Residents (x8)	Concerns regarding noise nuisance from live and recorded music affecting nearby residents; crime and disorder and anti-social behaviour including litter, drunkenness, drug dealing, drug taking and a previous stabbing incident; the lateness of the terminal hour for regulated entertainment;	Refuse or not stated

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

3.4 Agreements on conditions have been reached with.

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 New Information

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

4.3 Hearsay Evidence

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

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

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

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

licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.

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

4.5 **Manchester Statement of Licensing Policy**

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

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

- Evidence of pre-existing problems in the area
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance

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

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

- MS1 Implement effective security measures at the premises
- 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
- MS12 Prevent underage sales of alcohol, including proxy sales

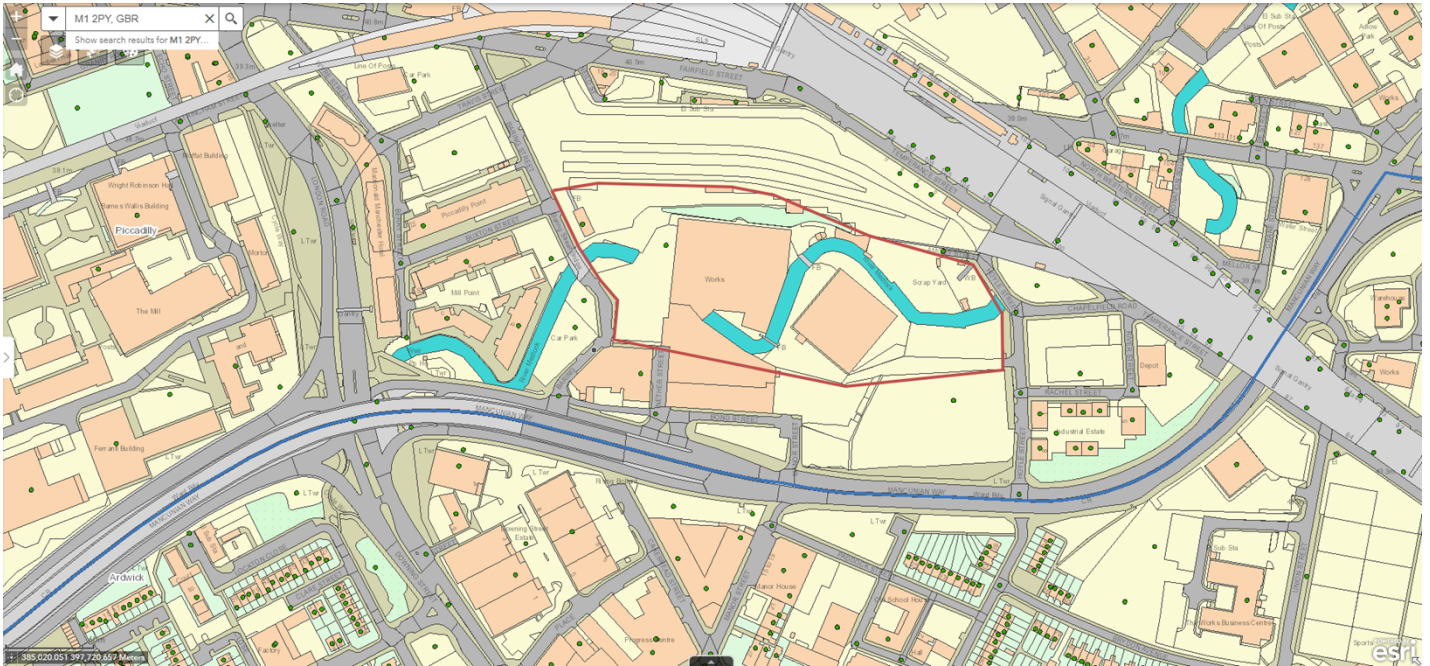
Section 12: Premises Licences for large-scale public events

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

5. Conclusion

- 5.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 5.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.

- 5.3 Having regard to the representations, the Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to:
 - i. the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate, and
 - ii. any mandatory conditions that must be included in the licence;
 - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
 - c) To refuse to specify the person proposed in the application as the designated premises supervisor;
 - d) To reject the application.
- 5.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 5.5 All licensing determinations should be considered on the individual merits of the application.
- 5.6 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 5.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 5.8 **The Panel is asked to determine the application.**



Outline is approximate.

Mayfield Park
Baring Street, Manchester

Premises Licensing
Manchester City Council

© Crown copyright and database rights 2018. Ordnance
Survey100019568.



PREMISE NAME:	Mayfield Park
PREMISE ADDRESS:	Baring Street, Manchester
WARD:	Piccadilly
HEARING DATE:	5 th September 2022

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

Document is Restricted

This page is intentionally left blank

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 Mayfield Development Partnership LP

(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 Mayfield Park, Baring Street,			
Post town	Manchester	Postcode	M1 2PY

Telephone number at premises (if any)	N/A
Non-domestic rateable value of premises	£ nil

Part 2 - Applicant details

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

- | | |
|---|-------------------------------------|
| a) an individual or individuals * | please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | please complete section (B) |
| ii as a partnership (other than limited liability) | please complete section (B)X |
| iii as an unincorporated association or | please complete section (B) |
| iv other (for example a statutory corporation) | please complete section (B) |
| c) a recognised club | please complete section (B) |
| d) a charity | please complete section (B) |
| e) the proprietor of an educational establishment | please complete section (B) |

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

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

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or.

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name Mayfield Development Partnership LP
Address 7a Howick Place London SW1P 1DZ
Registered number (where applicable) LP017769
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Partnership
Telephone number (if any)

E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	1	082022

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)

A new 6.5 acre city centre park situated in Manchester City Centre. The premises will operate as park 365 days per year and it is intended that events of various size will use the park from time to time.

These will vary from small community events to larger film screening and concerts. Not all events will feature regulated entertainment. When alcohol is to be served at these events temporary bars will be erected within the park.

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

max 4999 inc staff

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

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	
Day	Start	Finish	Indoors	
			Outdoors	
			Both	X
Mon	0900	2300	<u>Please give further details here</u> (please read guidance note 4)	
Tue	0900	2300		
Wed	0900	2300	<u>State any seasonal variations for performing plays</u> (please read guidance note 5)	
Thur	0900	2300		
Fri	0900	2300	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)	
Sat	0900	2300		
Sun	0900	2300		

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	X
Mon	0900	2300	<u>Please give further details here</u> (please read guidance note 4)		
Tue	0900	2300			
Wed	0900	2300	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur	0900	2300			
Fri	0900	2300	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	0900	2300			
Sun	0900	2300			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon	0900	2300	
Tue	0900	2300	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed	0900	2300	
Thur	0900	2300	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri	0900	2300	
Sat	0900	2300	
Sun	0900	2300	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
					X
Mon	0900	23:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	0900	23:00	<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed	0900	23:00	<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Thur	0900	23:00			
Fri	0900	23:00			
Sat	0900	23:00			
Sun	0900	23:00			

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
					Both
Mon	0900	2300	<u>Please give further details here</u> (please read guidance note 4)		
Tue	0900	2300			
Wed	0900	2300	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	0900	2300			
Fri	0900	2300	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	0900	2300			
Sun	0900	2300			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
					Both
Mon	0900	2300	Please give further details here (please read guidance note 4)		
Tue	0900	2300	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Wed	0900	2300	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur	0900	2300			
Fri	0900	2300			
Sat	0900	2300			
Sun	0900	2300			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	X
Mon	0900	2300	<u>Please give further details here</u> (please read guidance note 4)		
Tue	0900	2300			
Wed	0900	2300	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur	0900	2300			
Fri	0900	2300	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	0900	2300			
Sun	0900	2300			

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for <u>consumption – please tick</u> (please read guidance note 8)	On the premises	X	
Day	Start	Finish		Off the premises		
				Both		
Mon	1100	2300	State any seasonal variations for the supply of alcohol (please read guidance note 5)			
Tue	1100	2300				
Wed	1100	2300				
Thur	1100	2300		Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	1100	2300				
Sat	1100	2300				
Sun	1100	2300				

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	Jonathan Paul Drape	
Date of birth		
Address	[REDACTED]	
Postcode	[REDACTED]	
Personal licence number (if known)	705	
Issuing licensing authority (if known)	Bury	

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

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p>State any seasonal variations (please read guidance note 5)</p>
Day	Start	Finish	
Mon	0001	0000	
Tue	0001	0000	
Wed	0001	0000	
Thur	0001	0000	
Fri	0001	0000	
Sat	0001	0000	
Sun	0001	0000	
<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p>			

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)

1. No more than 4999 customers and staff will be permitted on the premises at any one time.
2. The premises licence holder shall ensure a suitable method of calculating the number of people present during licensable activities is in place.
3. The premises licence holder must ensure that:
 - (i) CCTV cameras are located within the premises to cover all public areas including all entrances and exits
 - (ii) The system records clear images permitting the identification of individuals.
 - (iii) The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
 - (iv) The CCTV system operates at all times while the premises are open for licensable activities [or specify timings].
 - (v) All equipment must have a constant and accurate time and date generation.
 - (vi) The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected.
 - (vii) There are members of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation). Preventing illegal drug use
4. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details (delete as appropriate): (i) All alleged crimes reported to the venue or by the venue to the police (ii) All ejections of patrons (iii) Any complaints received (iv) Any incidents of disorder (v) Seizures of drugs, offensive weapons, fraudulent ID or other items (vi) Any faults in the CCTV system, searching equipment or scanning equipment (vii) Any refusal of the sale of alcohol (viii) Any faults in the CCTV system, searching equipment or scanning equipment (ix) Any visit by a responsible authority or emergency service (x) The times on duty, names and the licence numbers of all licensed door supervisors employed by the premises. Staff t Staff training raining raining(alcohol (alcohol (alcohol& vulnerability welfare vulnerability welfare)
5. All staff authorised to sell alcohol shall be trained in:
 - (i) Relevant age restrictions in respect of products
 - (ii) Prevent underage sales

- (iii) Prevent proxy sales
 - (iv) Maintain the refusals log
 - (v) Enter sales correctly on the tills so the prompts show as appropriate
 - (vi) Recognising signs of drunkenness and vulnerability
 - (vii) How overservice of alcohol impacts on the four objectives of the Licensing Act 2003 (
 - viii) How to refuse service
 - (ix) The premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment
6. A Personal licence Holder must be present at the premises to supervise all sales of alcohol.
 7. Drinks must only be served in polycarbonate/plastic containers upon reasonable notice by Greater Manchester Police.
 8. The premises shall display prominent signage indicating [at any point of sale] [at the entrance to the premises] [in all areas where alcohol is located] that the Challenge [25] scheme is in operation.
 9. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within [specify days / hours or a reasonable time] of a request by an officer of a Responsible Authority.
Alcohol deliveries
 10. The premises shall notify Manchester City Council in writing at least 28 days prior to use of the license for an event with more than 2000 persons in attendance at any one time.
 11. The licence will only be in effect for the area at times when any licensable activity is taking place in the park.

b) The prevention of crime and disorder

1. Door supervisors shall be employed by the premises based upon a risk assessment carried out in relation to the following factors: (i) Size of the venue (ii) Expected attendance (iii) Type of event taking place (iv) Location of the premises (v) Time of year (vi) Special occasion (New Year, Halloween, Local events etc.) (vii) Premises License
2. All door supervisors, and other persons engaged at the premises for the purpose of supervising or controlling queues or customers, must wear [high visibility jackets or vests or armbands].
3. Door supervisors must be provided with radios to enable them to contact each other and the duty manager at the premises.
4. Where SIA registered door supervisors are used at the premises, a record must be kept of their SIA registration number and the dates and times when they are on duty.



c) Public safety

1. At all times that the premises are open to the public for licensable activities, all staff on-duty at the premises and all on-duty managers must have completed ACT:Awareness training. In addition, a minimum of 1 on-duty manager must also have completed the ACT:Operational or ACT:Strategic training.
2. The Designated Premises Supervisor must complete the ACT:Awareness training and ACT:Operational or ACT:Strategic training course within 28 days of the grant or variation of the licence. Should the Designated Premises Supervisor named on the licence change, the new Designated Premises Supervisor must complete those courses within 28 days of being named on the licence.
3. Within 28 days of the grant or variation of the licence, a documented security vulnerability assessment, which must incorporate counter terrorism measures, must be undertaken for the premises to include all areas in which licensable activities takes place and which the public will have access and/or transit through. The assessment shall be routinely reviewed and must be reviewed following the elevation of the change of the national threat level. All reviews shall be documented.
4. The designated queuing area shall be enclosed within appropriate barriers and ensure that a minimum width of 1.8m [or specify if greater] is maintained on the footway to allow safe passage by pedestrians.
5. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used if 10 days' prior notice is given to the licensing authority where consent has not previously been given: (i) Dry ice and cryogenic fog (ii) Smoke machines and fog generators (iii) Pyrotechnics, including fireworks (iv) Firearms (eg. Blank firing pistols) (v) Lasers (vi) Explosives and highly flammable substances (vii) Real flame (viii) Strobe lighting.
6. The premises licence holder shall ensure that at all times when the public is present there is at least one competent person able to administer first aid, that an adequate and appropriate supply of first aid equipment and materials is available on the premises, and that adequate records are maintained in relation to the supply of any first aid treatment.

7. The premises shall have a minimum 20m rescue throwline available on the premises for emergency use. All on-duty staff (including security) shall be knowledgeable of its location and the manufacturer's instructions for use.
8. A suitable fire risk assessment will be in place at all times licence is in operation.

d) The prevention of public nuisance

Any event featuring amplified music will prepare a noise management plan available for inspection

e) The protection of children from harm

1. The premises shall display prominent signage indicating in all areas where alcohol is located that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.
2. The Challenge [25] scheme must be operated to ensure that any person who appears to be under the age of [25] shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.
3. The premises shall display prominent signage indicating at any point of sale that the Challenge [25] scheme is in operation.

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	
Signature	
Date	17 th June 2022
Capacity	Consultant to Applicant

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)	
[REDACTED]	
Post town	[REDACTED]
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.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.

Web reference number 4828716

Have you been nominated as DPS on either: A new premises licence

Has the application nominating you as a DPS been submitted? : No

Full name : Jonathan Drape

Address including postcode : [REDACTED]

Email : [REDACTED]

Daytime telephone number: [REDACTED]

Name of applicant that has nominated you to be the DPS: Mayfield Development Partnership

Premises licence number if applicable:

Name and address of the premises : Mayfield Park

Baring St

Manchester

M1 2PY

I hereby give consent.... : to be specified as DPS on the above premises licence and agree to be responsible for the supply of alcohol at the above named premises

And in respect of any premises licence to be granted or varied in respect of this application made by . . . (give name of applicant or premises licence holder) : Mayfield Development Partnership

7a Howick Place

London

SW1P 1DZ

Do you hold a personal licence: Yes

What is your personal licence number?: 705

Which local authority (name, address and telephone number) issued the personal licence?: Bury MBC

Licensing Service

The Town Hall

Knowsley Street

BL9 0SW

I 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

I understand that by submitting this application...: I consent to Manchester City Council passing on the data within this application and it's supporting documents to any authority or person that will assist it's determination of this application, or as required by law

I declare that... : the information provided is true to the best of my knowledge and belief

I understand that... : if any false information is provided I may be guilty of an offence and liable to prosecution

I understand that...: if the application is authorised I must inform the authority about any changes to circumstances that mean I no longer meet the conditions for the authorisation

Where a statutory declaration has been provided I understand...: it may be forwarded to Greater Manchester Police

Please confirm...: I have read fully and understood the contents of this form and any supporting information and agree to the terms and/or conditions set out within

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details

Application Ref No	M/276230
Name of Premises	Mayfield Park
Address	Mayfield Park, Baring St, M1 2PY

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.

The Licensing and Out of Hours (LOOH) team have assessed the likely impact of the grant of this application considering several factors, including the nature of the area in which the premises is located and any potential risk the granting of this licence could lead to undermining the four licensing objectives.

Officers are not fully satisfied that the conditions offered are sufficient to uphold the four licensing objectives. LOOH therefore recommend the following conditions should be attached to the Premises licence (this includes rewritten conditions offered by the applicant)

A.) General – all 4 Licensing Objectives

The applicant has proposed 11 conditions under this section of the application. I propose for the following conditions to be removed.

Condition 3 – CCTV
 Condition 4 – Incident Log
 Condition 5 – Training
 Condition 9 – Refusals log

I propose for the conditions specified above to be replaced with the reworded conditions below:

Condition 3 reworded as follows:

- The premises shall install and maintain a digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. CCTV shall continually record whilst the premises are open to the public and the recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping.

- A staff member who is conversant with the operation of the CCTV system shall be present on the premises when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

Condition 4 reworded as follows:

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

- all crimes reported to the venue, or by the venue to the Police
- all ejections of patrons
- any incidents of disorder
- any faults in the CCTV system, searching equipment or scanning equipment
- any seizures of drugs, offensive weapons, fraudulent ID or other items
- any visit by a relevant authority or emergency service

Condition 5 reworded as follows:

- Staff shall be provided with comprehensive training in preventing drunkenness; understanding and dealing with situations involving vulnerable people; emergency procedures; complying with the licence conditions; and obligations and offences under the Licensing Act that apply to the sale of alcohol.
- Staff training will include the Challenge 25 policy and its operation. Staff will also be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18.
- All training will be given to a new member of staff before they commence paid employment.
- Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council

Condition 9 reworded as follows:

- A refusals log shall be kept at the premises in either electronic or paper format, to record all refusals of alcohol. The log shall record the date and time of the refusal; the reason for the refusal, a short description of the refused customer and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log will be checked regularly by the designated premise supervisor to ensure it is being used by staff and each check shall be recorded in the log.

Furthermore, I propose the following conditions to be added to premises licence:

- Customers will not be permitted to remove from the premises any drinks supplied by the premises (alcoholic or otherwise) in open containers, save for consumption in any delineated external area as shown on the plan attached to the licence.
- All sales of alcohol for consumption off the premises shall not be removed from premises unless in sealed containers only.
- Noise from amplified music shall not be such as to cause a noise nuisance to occupants of nearby premises

LOOH believe these conditions are proportionate and necessary to uphold the four licensing objectives.

Recommendation: **Approve with Conditions (Outlined Above)**

RES1

From: [REDACTED]
Sent: 17 July 2022 00:27
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Fwd: Mayfield Park License Application

[REDACTED]

Having carefully studied the plans I would like to object to three parts of the application.

Firstly
- Live Music
and
- Recorded Music

Given the last two years the amount of noise we have had to put up with from their 'Warehouse Project' events, loud industrial bass speakers are clearly audible inside our houses with all windows shut up to 4am, we can only see this being worse, being outdoors. Their 'noise study' four years ago for their nightclub planning applications took place BEFORE they demolished all the intermediate derelict buildings thus giving a false impression to council of a limited noise impact on local residents. With that I believe the music application should certainly be refused.

Secondly
- Alcohol license

In relation to previous incidents on their site, including a double stabbing, unconscious people regularly found in surrounding streets with ambulances being called and instances of drug taking, overdoses and dealing I believe this alcohol application should also be refused given the high amount of disorder already associated with this site.

The promises made when Mayfield was launched look nothing like the reality - a druggy kids party.

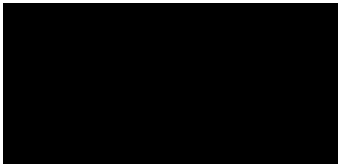
Yours sincerely

[REDACTED]

RES 2

From: [REDACTED]
Sent: 20 July 2022 12:04
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: Grace Ollier <grace.ollier@manchester.gov.uk>
Subject: Re: Acknowledgement of objection to premises licence application
276230PW5: Mayfield Park, Baring Street, Manchester - WHAT HAPPENS
NEXT

Great. Here you go.



Can you please confirm if there have been many objections so far for this one?



From: [REDACTED]
Sent: 19 July 2022 16:26
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Objection - Reference: 276230/PW5 - Mayfield

Hi

I strongly object to this application on the following licensing objective, being 'The prevention of public nuisance'.

An 11pm licence to play music etc is far too late especially on week nights and Sunday. We as neighbouring residents are already subjected to a lot of noise from Escape to Freight Island, to which I have made complaints a numerous amount of times.

We live on [REDACTED], the other side of Piccadilly Station and always hear the music even though it's a fair distance away. I dread to think what it's like for closer by residents.

Also, this is supposed to be a new public park for the 'public', not an event space!

Please keep me updated on how this progresses.

Kind Regards



RES 3

From: [REDACTED]
Sent: 19 July 2022 17:42
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Mayfield Park Piccadilly, licence application

Hi,

Just wanted to comment on this in relation to the prevention of public nuisance objective - please consider the local community before going ahead with this 11pm end time on weekdays.

Don't you agree that this is late to be encouraging noise and disruption to locals?

Yes we live in a city centre but there are more and more flats being built and more and more people moving into the area and you need to consider how this potential for noise will affect us.

For example, there was an event last Sunday night - I have no idea where but a quick search on local Facebook groups will tell you that it was noisy all over the area.... Unless you have experienced it you won't know how much the noise carries, but please take this into consideration.

Thanks,
[REDACTED]

RES 4

From: [REDACTED]
Sent: 19 July 2022 18:45
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Mayfield Park (276230/PW5)
Hi Team,

I'm writing in reference to premises licence application that has been submitted for Mayfield Park (referenced above). I object to the application on the grounds that the venue causes considerable noise pollution to the surrounding areas. We live in New Islington [REDACTED] hear music from the venue clearly throughout the house when playing. I don't object to it being a bar, but music cannot be played at that volume for the periods requested (365 days, Mon-Sun, up to 11pm), it's really a disproportion request considering the amount of people in the surrounding areas. I can't see how granting those application would allow the promotion the prevention of 'disorder' and 'public nuisance'.

Regards,

[REDACTED]

RES5

From: [REDACTED]
Sent: 19 July 2022 18:54
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Mayfield Park

Good evening,

I am writing to object to the application for Mayfield Park events in the area of Public Nuisance.

I live in New Islington and the area I am objecting to is the hours for serving alcohol and for events.

From Sunday-Thursday I object events being held and alcohol being served until 11pm - these are evenings where people are working early the next morning and will be disadvantaged by noise. There will also be a 'spill out' of attendees who are drunk and loud into the surrounding streets which will be a public nuisance.

I am in favour of the park in general and of events, but do not think it is appropriate until 11pm on weeknights (other than Friday) and Sundays.

Kind regards,

[REDACTED]

From: [REDACTED]
Sent: 22 July 2022 09:31
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Re: Acknowledgement of objection to premises licence application 276230PW5: Mayfield Park, Baring Street, Manchester - WHAT HAPPENS NEXT

[REDACTED]

RES 6

From: [REDACTED]
Sent: 19 July 2022 20:18
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: 276230/PW5 license application

Dear Sirs,

I would like to oppose the application for alcohol license at the new mayfield park.

The proposed time to cover the license are extremely broad and should be limited if allowed. The park is to be a public space for families and community members to enjoy much needed green space. Allowing selling alcohol from Monday to Sunday from 11 am to 11 pm will lead to this space being 'hijacked' for commercial space with antisocial behaviour and littering.

As a city centre resident and a mother of 2 toddlers, I am afraid and ashamed seeing what is happening with any green space in the centre when alcohol is allowed. There are further many other places to organise open area events that already promote drinking culture. Let's finally move away from this in place that are meant for leisure and relaxation in green spaces.

With regrads
[REDACTED]

RES 7

From: [REDACTED]
Sent: 20 July 2022 13:19
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Re: Acknowledgement of objection to premises licence application
276230PW5: Mayfield Park, Baring Street, Manchester - WHAT HAPPENS
NEXT

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

From: [REDACTED] >
Sent: 19 July 2022 20:38
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Objection

Ref: 276230/PW5

Mayfield Park, Baring Street, Manchester

To whom it may concern,

I'd like to raise an objection for the licensing of this event. After the recent events held here until late at night I don't think the business/ council have considered how far the noise travels. I reside on [REDACTED] and I think this space having licensing 7 days a week until 11pm will be a public nuisance to local residents and visitors in hotels. The licensing application for 7 days a week 11-11 is very broad and I think will become unfair for those living around this highly populated area.

Thank you,

[REDACTED]
[REDACTED].

RES 8

From: [REDACTED] >
Sent: 19 July 2022 21:28
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Objection to Mayfield Park, Baring Street, Manchester license application

Hi,

I object to the Mayfield Park, Baring Street, Manchester premises license application to run everyday till 11pm as the noise can be heard all the way down to Ancoats where I live.

This is not acceptable.

Regards,

[REDACTED]

This page is intentionally left blank

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. No more than 4999 customers and staff will be permitted on the premises at any one time. 2. The premises licence holder shall ensure a suitable method of calculating the number of people present during licensable activities is in place. 3. The premises licence holder must ensure that: <ol style="list-style-type: none"> i. CCTV cameras are located within the premises to cover all public areas including all entrances and exits ii. The system records clear images permitting the identification of individuals. iii. The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days. iv. The CCTV system operates at all times while the premises are open for licensable activities [or specify timings]. v. All equipment must have a constant and accurate time and date generation. vi. The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected. vii. There are members of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation). 4. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details (delete as appropriate): <ol style="list-style-type: none"> i. All alleged crimes reported to the venue or by the venue to the police ii. All ejections of patrons iii. Any complaints received iv. Any incidents of disorder v. Seizures of drugs, offensive weapons, fraudulent 	N/A	Applicant

Schedule of Licence Conditions

<p>ID or other items</p> <ul style="list-style-type: none"> vi. Any faults in the CCTV system, searching equipment or scanning equipment vii. Any refusal of the sale of alcohol viii. Any faults in the CCTV system, searching equipment or scanning equipment ix. Any visit by a responsible authority or emergency service x. The times on duty, names and the licence numbers of all licensed door supervisors employed by the premises. <p>5. All staff authorised to sell alcohol shall be trained in:</p> <ul style="list-style-type: none"> i. Relevant age restrictions in respect of products ii. Prevent underage sales iii. Prevent proxy sales iv. Maintain the refusals log v. Enter sales correctly on the tills so the prompts show as appropriate vi. Recognising signs of drunkenness and vulnerability vii. How overservice of alcohol impacts on the four objectives of the Licensing Act 2003 viii. How to refuse service ix. The premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment <p>6. A Personal licence Holder must be present at the premises to supervise all sales of alcohol.</p> <p>7. Drinks must only be served in polycarbonate/plastic containers upon reasonable notice by Greater Manchester Police.</p> <p>8. The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises, and in all areas where alcohol is located that the Challenge 25 scheme is in operation.</p> <p>9. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within specify days / hours or a reasonable time of a request by an</p>		
--	--	--

Schedule of Licence Conditions

<p>officer of a Responsible Authority.</p> <p>10. The premises shall notify Manchester City Council in writing at least 28 days prior to use of the license for an event with more than 2000 persons in attendance at any one time.</p> <p>11. The licence will only be in effect for the area at times when any licensable activity is taking place in the park.</p> <p>The prevention of crime and disorder</p> <p>12. Door supervisors shall be employed by the premises based upon a risk assessment carried out in relation to the following factors:</p> <ul style="list-style-type: none"> i. Size of the venue ii. Expected attendance iii. Type of event taking place iv. Location of the premises v. Time of year vi. Special occasion (New Year, Halloween, Local events etc.) vii. Premises License <p>13. All door supervisors, and other persons engaged at the premises for the purpose of supervising or controlling queues or customers, must wear high visibility jackets or vests or armbands.</p> <p>14. Door supervisors must be provided with radios to enable them to contact each other and the duty manager at the premises.</p> <p>15. Where SIA registered door supervisors are used at the premises, a record must be kept of their SIA registration number and the dates and times when they are on duty.</p> <p>Public safety</p> <p>16. At all times that the premises are open to the public for licensable activities, all staff on-duty at the premises and all on-duty managers must have completed ACT: Awareness training. In addition, a minimum of 1 on-duty manager must also have completed the ACT: Operational or ACT: Strategic training.</p> <p>17. The Designated Premises Supervisor must complete the ACT: Awareness training and ACT: Operational or ACT: Strategic training course within 28 days of the grant or variation of the licence. Should the Designated Premises Supervisor named on the licence change, the new Designated Premises Supervisor must complete those courses within 28 days of being named on the licence.</p> <p>18. Within 28 days of the grant or variation of the licence, a documented security vulnerability assessment, which must incorporate counter terrorism measures, must be undertaken for the premises to include all areas in which licensable activities takes</p>		
---	--	--

Schedule of Licence Conditions

<p>place and which the public will have access and/or transit through. The assessment shall be routinely reviewed and must be reviewed following the elevation of the change of the national threat level. All reviews shall be documented.</p> <p>19. The designated queuing area shall be enclosed within appropriate barriers and ensure that a minimum width of 1.8m (or specify if greater) is maintained on the footway to allow safe passage by pedestrians.</p> <p>20. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used if 10 days' prior notice is given to the licensing authority where consent has not previously been given:</p> <ul style="list-style-type: none"> i. Dry ice and cryogenic fog ii. Smoke machines and fog generators iii. Pyrotechnics, including fireworks iv. Firearms (e.g. Blank firing pistols) v. Lasers vi. Explosives and highly flammable substances vii. Real flame viii. Strobe lighting. <p>21. The premises licence holder shall ensure that at all times when the public is present there is at least one competent person able to administer first aid, that an adequate and appropriate supply of first aid equipment and materials is available on the premises, and that adequate records are maintained in relation to the supply of any first aid treatment.</p> <p>22. The premises shall have a minimum 20m rescue throwline available on the premises for emergency use. All on-duty staff (including security) shall be knowledgeable of its location and the manufacturer's instructions for use.</p> <p>23. A suitable fire risk assessment will be in place at all times licence is in operation.</p> <p>The prevention of public nuisance</p> <p>24. Any event featuring amplified music will prepare a noise management plan available for inspection.</p> <p>25. The protection of children from harm</p> <p>26. The premises shall display prominent signage indicating in all areas where alcohol is located that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.</p> <p>27. The Challenge 25 scheme must be operated to ensure that any</p>		
---	--	--

Schedule of Licence Conditions

<p>person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.</p> <p>28. The premises shall display prominent signage indicating at any point of sale that the Challenge 25 scheme is in operation.</p>		
Conditions proposed by objectors	Agreed	Proposed by
<p>General – all 4 Licensing Objectives</p> <p>The applicant has proposed 11 conditions under this section of the application. LOOH propose for the following conditions to be removed.</p> <p>Condition 3 – CCTV</p> <p>Condition 4 – Incident Log</p> <p>Condition 5 – Training</p> <p>Condition 9 – Refusals log</p> <p>LOOH propose for the conditions specified above to be replaced with the reworded conditions below:</p> <p>Condition 3 reworded as follows:</p> <p>The premises shall install and maintain a digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. CCTV shall continually record whilst the premises are open to the public and the recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping.</p> <p>A staff member who is conversant with the operation of the CCTV system shall be present on the premises when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.</p> <p>Condition 4 reworded as follows:</p> <p>An incident log (which may be electronically recorded) shall be kept at the premises for at least six months and made available on request to the Police or an authorised officer of the licensing authority. This incident log will record the following incidents including pertinent details</p>	No	Licensing and Out of Hours

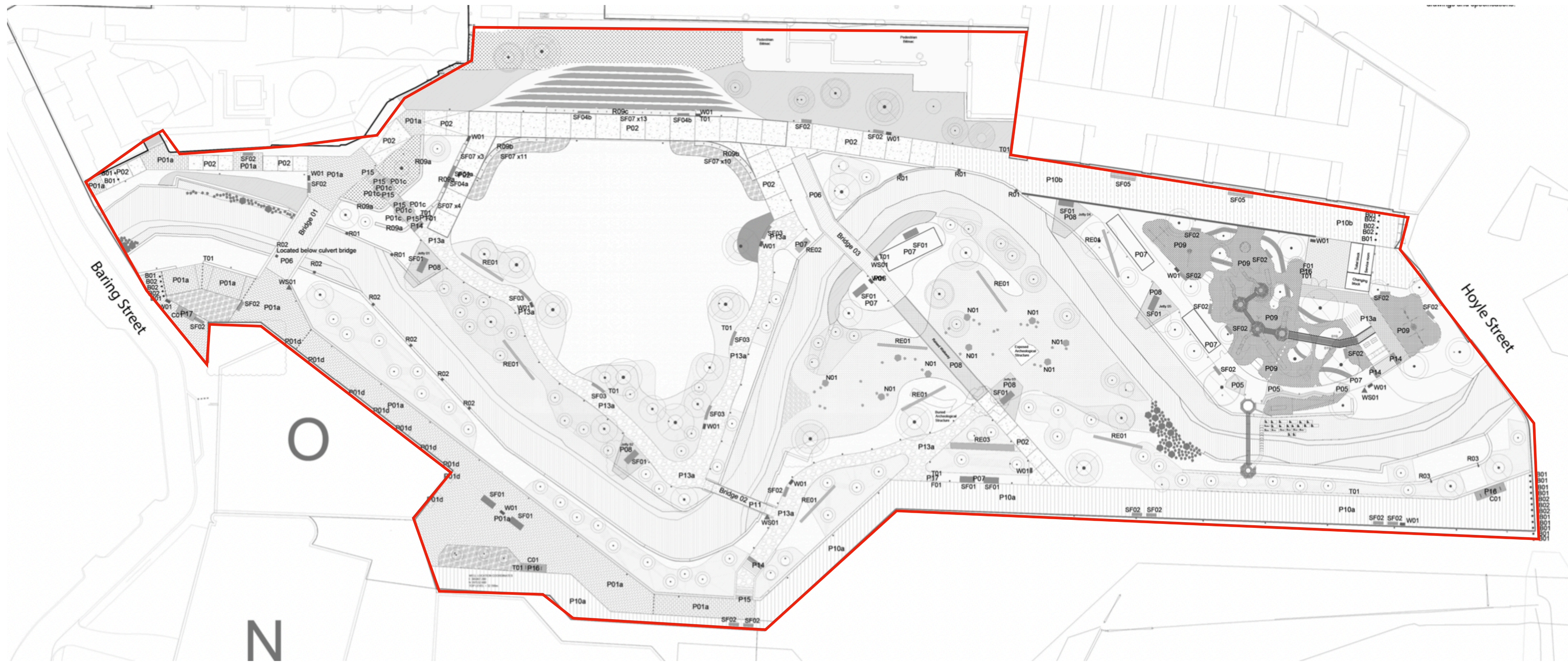
Schedule of Licence Conditions

<p>of:</p> <ul style="list-style-type: none"> ○ all crimes reported to the venue, or by the venue to the Police ○ all ejections of patrons ○ any incidents of disorder ○ any faults in the CCTV system, searching equipment or scanning equipment ○ any seizures of drugs, offensive weapons, fraudulent ID or other items ○ any visit by a relevant authority or emergency service <p>Condition 5 reworded as follows:</p> <p>Staff shall be provided with comprehensive training in preventing drunkenness; understanding and dealing with situations involving vulnerable people; emergency procedures; complying with the licence conditions; and obligations and offences under the Licensing Act that apply to the sale of alcohol.</p> <p>Staff training will include the Challenge 25 policy and its operation. Staff will also be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18.</p> <p>All training will be given to a new member of staff before they commence paid employment.</p> <p>Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council</p> <p>Condition 9 reworded as follows:</p> <p>A refusals log shall be kept at the premises in either electronic or paper format, to record all refusals of alcohol. The log shall record the date and time of the refusal; the reason for the refusal, a short description of the refused customer and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log will be checked regularly by the designated premise supervisor to ensure it is being used by staff and each check shall be recorded in the log.</p> <p>Furthermore, LOOH propose the following conditions to be added to premises licence:</p> <p>Customers will not be permitted to remove from the premises any drinks supplied by the premises (alcoholic or otherwise) in open containers, save for consumption in any delineated external area as</p>		
---	--	--

Schedule of Licence Conditions

<p>shown on the plan attached to the licence.</p> <p>All sales of alcohol for consumption off the premises shall not be removed from premises unless in sealed containers only.</p> <p>Noise from amplified music shall not be such as to cause a noise nuisance to occupants of nearby premises</p> <p>LOOH believe these conditions are proportionate and necessary to uphold the four licensing objectives.</p>		
--	--	--

This page is intentionally left blank



Mayfield Park Red Line Proposed

This page is intentionally left blank

**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 5 September 2022

Subject: Lakeside Cafe, Lakeside Cafe, Heaton Park, Middleton Road, Manchester, M25 2SW - App ref: Premises Licence (new) 276832

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: Higher Blackley

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

infrastructure and connectivity to drive growth	
---	--

Full details are in the body of the report, along with any implications for:

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Name: Ashia Maqsood
Position: Technical Licensing Officer
Telephone: 0161 234 4139
E-mail: premises.licensing@manchester.gov.uk

Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 14/07/2022, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Lakeside Cafe, Lakeside Cafe, Heaton Park, Middleton Road, Manchester, M25 2SW in the Higher Blackley ward of Manchester.
- 1.2 A location map and photograph of the premises is attached at **Appendix 1**.
- 1.3 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.
- 1.4 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.
- 1.5 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 Deep Beat Entertainment Ltd.
- 2.3 The description of the premises given by the applicant is: café providing food and drink
- 2.4 The proposed designated premises supervisor is Chris Barker
- 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 11pm
- 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.

2.7.3 These conditions are set out in the Schedule of Conditions at **Appendix 4**.

2.8 **Further documentation accompanying the application**

2.8.1 The applicant has not submitted any documents in support of their application.

3. **Relevant Representations**

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

3.2 The personal details of the member of the public have been redacted.

3.3 Original copies of the representation will be available to the Panel at the hearing.

3.4 Summary of the representations:

Party	Grounds of representation	Recommends
Member of the Public x1	<p>An objection was submitted against the application on the grounds that the granting of the licence would cause anti-social behaviour in the park and ruin the enjoyment of the park.</p> <p>The objector further states that the allowing of alcohol to be consumed in the cafe and around the park would change the long-established status quo for the worse and would make the park somewhere to attend with caution.</p>	Refuse

3.5 Agreements on conditions were reached with The Trading standards team and the Licensing and out of hours team.

- 3.6 These objections were subsequently withdrawn by both responsible authorities.
- 3.7 As a result of the agreed conditions with the responsible authorities, GMP withdrew their objection.
- 3.8 Conditions proposed and agreed by the applicant and 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:

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

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

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

- 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
- MS7 Maintain a safe capacity
- 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

Section 12: Premises Licences for large-scale public events

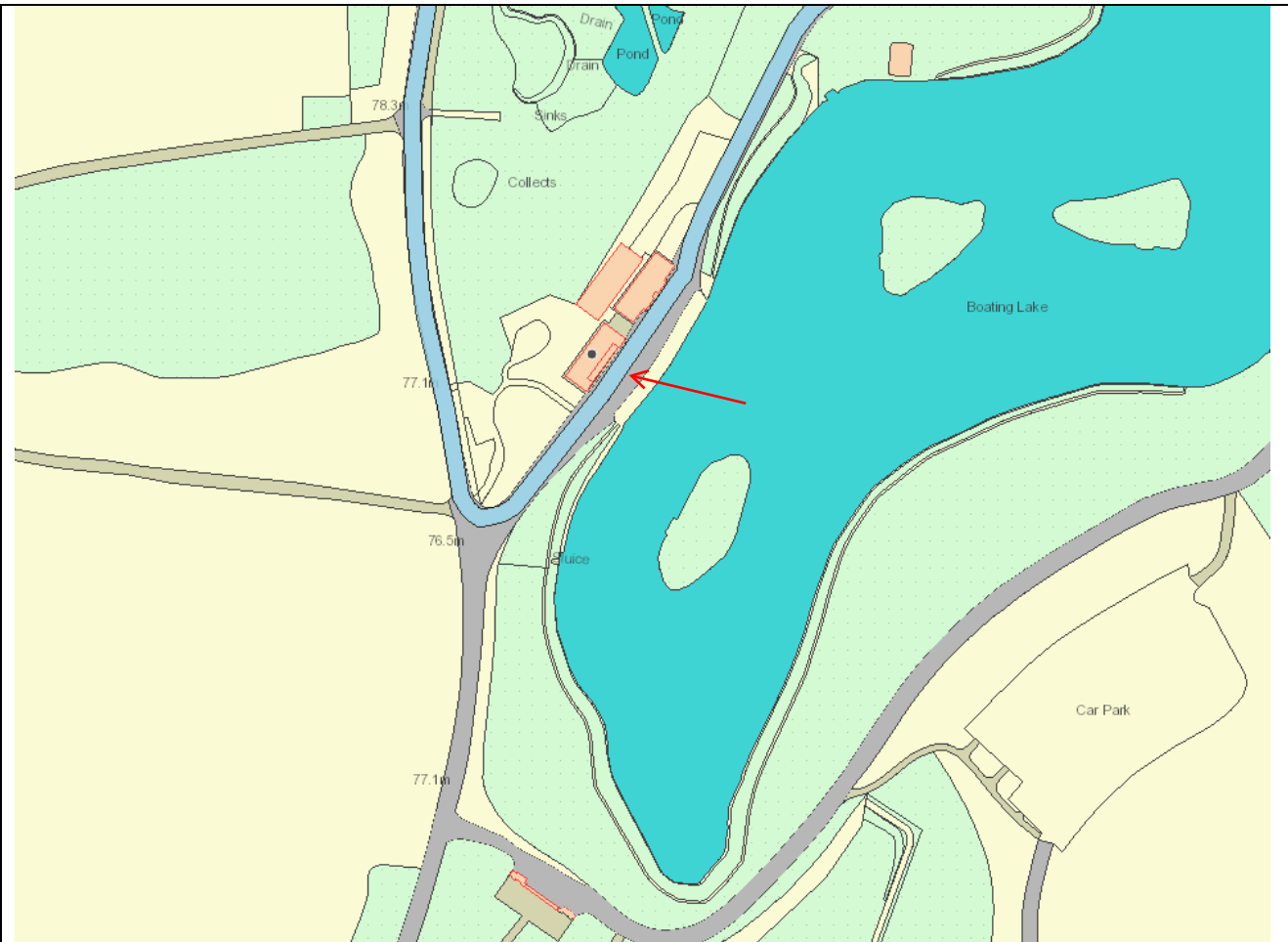
This section sets out particular expectations regarding large scale public events, given the specific associated risks.

5. Conclusion

- 5.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 5.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.

- 5.3 Having regard to the representations, the Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to:
 - i. the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate, and
 - ii. any mandatory conditions that must be included in the licence;
 - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
 - c) To refuse to specify the person proposed in the application as the designated premises supervisor;
 - d) To reject the application.
- 5.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 5.5 All licensing determinations should be considered on the individual merits of the application.
- 5.6 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 5.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 5.8 **The Panel is asked to determine the application.**





PREMISES NAME:	Lakeside Cafe
LOCATION:	Heaton Park Middleton Road Manchester
WARD:	Higher Blackley
HEARING DATE:	05/09/2022

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 DEEP BEAT ENTERTAINMENT LTD
(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description THE LAKESIDE COFFEE SHOP WITHIN HEATON PARK . MIDDLETON ROAD . M2			
Post town	MANCHESTER	Postcode	M25 2SW

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ UNKNOWN

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 checked="" type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

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

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

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name	DEEP BEAT ENTERTAINMENT LTD.
Address	9 OAKMEAD BRANLEY TADLEY HAMPSHIRE RG26 5JD
Registered number (where applicable)	11028226
Description of applicant (for example, partnership, company, unincorporated association etc.)	COMPANY

Telephone number (if any)	[REDACTED]
E-mail address (optional)	[REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
25	07	2022

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

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

AS THE CAFE OPERATOR WE PROVIDE FOOD AND DRINK BOTH INDOORS AND OUTDOORS WE INTEND TO SELL ALCOHOL FROM THE COFFEE SHOP COUNTER.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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



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



In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

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

I

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

~~NO LONGER APPLICABLE~~

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11:00	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			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

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	CHRIS BARVER
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	[REDACTED]
Issuing licensing authority (if known)	WYRE COUNCIL

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

NOT APPLICABLE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
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	

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)

FOOD WILL BE SERVED AND AVAILABLE AT ALL TIMES
 ALL DRINKS DECANTED THAT ARE GLASS.
 RESPONSIBLE PERSON ON SHIFT AT ALL TIMES.
 HOURLY LITTER CHECKS OUTSIDE
 CHALLENGE 25

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

LIVE CCTV
 PARK CCTV
 CHALLENGE 25
 REFUSAL LOG

c) **Public safety**

ANY GLASS BOTTLES WILL BE DECANTED
 CHALLENGE 25
 NO SHOTS OF MORE THAN 2 PER PURCHASE

d) **The prevention of public nuisance**

THE SHOP IS IN THE MIDDLE OF THE PARK
 NO LOUD MUSIC
 SHOP WILL SHUT BEFORE MAIN PARK.

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

ANY SIGNS OF INTOXICATION & SERVICE
 WILL BE DECLINED & LOGGED.
 BEHAVIOUR MONITORED & SECURITY NOTIFIED

Checklist:

Please tick to indicate agreement

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


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

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

Part 4 – Signatures (please read guidance note 11)

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

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

	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	3rd July 2022
Capacity	Director

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

Signature	
Date	
Capacity	

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

This page is intentionally left blank

Fw: Sale of alcohol - the Lakeside Coffee Shop

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

Wed 27/07/2022 07:37

T [REDACTED]

GO

From: [REDACTED]

Sent: 27 July 2022 07:34

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

Subject: Sale of alcohol - the Lakeside Coffee Shop

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

Good morning.

I wish to object in the strongest possible terms to the application for the sale of alcohol in the Heaton Park cafe. It is hard enough to find safe spaces in Manchester where one can enjoy a bit of respite from the bustle of the city without encountering drinkers or anti-social behaviour caused by the consumption of alcohol and Heaton Park is one of those places that one can still enjoy without alcohol being a detriment to the enjoyment of it.

Allowing alcohol to be consumed in the cafe and around the park would change the long-established status quo for the worse and would make the park somewhere to attend with caution.

I would sincerely hope you will not grant this licence, if would be a total sell out of the local community for financial gain. As it is, parklife causes a major concern on an annual basis and effects thousands of families, the sale of alchol in the park would ruin the experience for the rest of the year.

Kind regards

[REDACTED]

[REDACTED]

[REDACTED]

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error, please notify the system manager.
The full text of the Council's email disclaimer is available at: www.manchester.gov.uk/emaildisclaimer.
Your personal data is very important to us. Please refer to our privacy notice at: www.manchester.gov.uk/privacy for further information.

This footnote also confirms that this email message has been swept for the presence of computer viruses.

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Hourly litter checks will be conducted outside the premises 2. Challenge 25 scheme shall be implemented 3. Live CCTV shall be in operation 4. A refusal log shall be used 5. There shall be no loud music 6. Service shall be refused to any intoxicated person, refusal log shall be updated 7. Behaviour shall be monitored, and security notified 	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 1. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram. 2. All staff engaged in the sale of alcohol will be trained with regards to the Challenge 25 policy. This training will be documented, and training should be refreshed annually. 3. The Premises Licence Holder will ensure that signage demonstrating the Challenge 25 policy as well as selling alcohol to children by proxy are placed at the entrance to the premises as well as being displayed in all areas serving alcohol. Staff training should incorporate this. 4. The Premise Licence Holder will also ensure regular checks are made around the premises for underage persons encouraging adults to buy alcohol for them. 	Yes	Trading Standards
<ol style="list-style-type: none"> 1. A responsible person by way of a supervisor, team leader or manager will be on site within the premises at all times. 2. All bottles/glass will be decanted into plastic cups with the exception of customers consuming alcohol within the domes. 	Yes	Licensing and Out of Hours

Schedule of Licence Conditions

<ol style="list-style-type: none"> 3. There shall be no single shots of spirits to be sold without a mixer. 4. Off sales shall only be permitted to provide alcohol within 'the domes'. This will be by table service only and will be provided by waiter service. 5. There will be clear signage within the premises, exits and sale points explaining to customers that alcohol is to be consumed within designated area (as per plan submitted) 6. Staff members to be proactively managing the designated area to monitor for any of the following, which should then be passed onto the responsible person to be dealt with: intoxicated patrons, build-up of refuse. 7. The licence holder shall undertake written risk assessments to ensure that events which require door supervisors are identified and an appropriate number of SIA registered door Supervisors shall be employed at these events. 8. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public. 9. The premises licence holder must consult with Heaton Park management prior to any event being held. 		
---	--	--

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

Document is Restricted

This page is intentionally left blank