



Licensing Sub Committee Hearing Panel

Date: Monday, 5 December 2022
Time: 10.30 am (or at the rise of the Licensing & Appeals Committee)
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 entrances of the Extension.

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Andrews, Hilal and Jeavons

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 - Abssco Ltd, Room 2 Flat 305, Regent Court, 131 Wenlock Way, Manchester, M12 5BS

5 - 50

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
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Manchester, M60 2LA

Further Information

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

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Manchester City Council Report for Resolution

Report to: Licensing Subcommittee Hearing Panel – 05 December 2022

Subject: Abssco Ltd, Room 2 Flat 305, Regent Court, 131 Wenlock Way, Manchester, M12 5BS - App ref: Premises Licence (new) 274177

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: Ardwick

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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Name: Ashia Maqsood
Position: Technical Licensing Officer
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Background documents (available for public inspection):

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

1. **Introduction**

- 1.1 On 19/10/2022, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Abssco Ltd, Room 2 Flat 305, Regent Court, 131 Wenlock Way, Manchester, M12 5BS in the Ardwick 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 Abssco Ltd.
- 2.3 The description of the premises given by the applicant is : Online business for the dispatching of alcohol.
- 2.4 The proposed designated premises supervisor is Kwame Abalin
- 2.5 **The licensable activities applied for are:**

The supply of alcohol for consumption off the premises only:

Mon to Sun 10pm to 5am

The premises is not open to the public

- 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**

- 2.8 The applicant has not stated enforceable conditions to promote the licensing objectives.
- 2.9 An operating policy, outlining how the business will operate, is attached at the end of the application at **Appendix 2**.

2.10 **Further documentation accompanying the application**

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

3. **Relevant Representations**

- 3.1 A total of 4 relevant representations were received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

Responsible Authorities:

- Greater Manchester Police;
- MCC Trading Standards
- Licensing Authority

Other Persons:

- Residents (x1).

- 3.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	GMP objected to the licence on the grounds that the application, if granted, will cause disturbance to residents and could potentially lead to confrontations. GMP state that the premises is unsuitable for alcohol delivery and recommend that the application is refused.	Refuse
Licensing and Out of Hours Compliance (LOOH)	LOOH have objected to the application based on the grounds that the application is for a location within a highly populated residential area. LOOH state that the premises is not suitable for delivery as vehicles and noise generated from vehicles and from the	Refuse

	premises would cause significant noise pollution and disturbance to residents.	
Trading Standards	<p>Trading standards have objected to the application based on the grounds that the applicant has not provided enough details on how they will uphold the licensing objective, the prevention of harm to children.</p> <p>Trading standards are concerned that the applicant does not fully understand the role of a licence holder and so will not uphold the licensing objectives.</p>	Refuse
Residents (x1)	Resident 1 objected to the application on the grounds that the granting of the licence will adversely impact residents due to deliveries from the premises.	No recommendation stated

3.3 At the time of compiling this report, agreements have not been reached with any objectors.

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

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

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

- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS5 Prevent on-street consumption of alcohol
- MS8 Prevent noise nuisance from the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

Section 9: Alcohol delivery services

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

Conclusion

- 4.6 A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.

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



Abssco Ltd
Room 2 Flat 305, Regent Court, 131 Wenlock Way,
Manchester, M12 5BS

Premises Licensing
Manchester City Council

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PREMISE NAME:	Abssco Ltd
PREMISE ADDRESS:	Room 2 Flat 305, Regent Court, 131 Wenlock Way, Manchester, M12 5BS
WARD:	Ardwick
HEARING DATE:	05/12/2022

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 **Abssco 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			
Apartment 305 Regent Court 131 Wenlock Way			
Post town	Manchester	Postcode	M12 5BS

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£0

Part 2 - Applicant details

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

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <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	Abssco LTD
Address	Apartment 305 Regent Court 131 Wenlock Way Manchester M12 5BS
Registered number (where applicable)	13976438
Description of applicant (for example, partnership, company, unincorporated association etc.)	This a limited company by shares.

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	9	0 6 2 0 2 2

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
 This is an online only business that will use the above address for storage and dispatching of the alcohol.

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

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			
Fri			<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)
Sat			
Sun			

D

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

E

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

F

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

G

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) N/A		
Mon	22:00	05:00			
Tue	22:00	05:00			
Wed	22:00	05:00			
Thur	22:00	05:00			
Fri	22:00	05:00			
Sat	22:00	05:00			
Sun	22:00	05:00			
			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) N/A		

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

Name		
Date of birth		
Address		
Postcode		
Personal licence number (if known)		
Issuing licensing authority (if known)		Manchester City Council

K

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

N/A

L

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

PLEASE SEE DOCUMENT ATTACHED AT THE END OF THE APPLICATION
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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)

N/A

b) The prevention of crime and disorder

N/A

c) Public safety

N/A

d) The prevention of public nuisance

N/A

e) The protection of children from harm

N/A

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	11/04/2022
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)			

Business Operation

- Stocks (alcohol) will be purchased from major supermarkets (Costco, Asda, Tesco & Morrison) in reasonable quantities and kept in a designated area (behind closed doors) at the address stated on the application.
- The stocks (bottled drinks only) will be then displayed for sale via shopify (in-progress to set up) & our social media accounts (Instagram, Snapchat and Facebook).
- Then whenever a customer places an order via our online platform Shopify, text or telephone order, the product will then be taken from storage to be delivered.

It will be clearly stated across all our platforms, Challenge 25 will be carried out during delivery, including orders over phone or text, therefore we will not be making sales to anyone unable to prove that they are over 18. This will be stated in our policy as well.

- A payment will be expected from the customer when the order is placed on shopify. Once order is placed, the delivery will be undertaken by ourselves (Abssco Ltd), using a vehicle.
- Upon arrival at the delivery address, challenge 25 will be carried out on anyone who looks under 25 before the order is given to the customer, and in events where the customer fails challenge 25, the sale of alcohol will not take place, a refund will be given to the customer minus delivery cost.
If there's no issues with challenge 25 then the product will be given to the customer and that completes our operational cycle.

Promoting Licensing Objectives

We already covered a few of these topics within our business operation.

Which are -

- Identification and refusal of underage sales - challenge 25 will be carried out on anyone who looks under 25 before the order is given to the customer. Furthermore, we will not make sales to any individual that we suspect has had way too many drinks.
- Age-restricted products - All products are sold to individuals aged 18 and above only.

- Any access restrictions to the premises by children - there's no under age on premises, besides that, our products are kept behind closed doors and there's no drinking or partying on premises.

As a business, we will frequently review our operations, ensuring that we are incorporating an approach that increases our awareness in order to mitigate potential risks and work towards minimising possible disturbances. Below are areas that will be considered.

Prevention of Crime & Disorder

- Breaches of licensing conditions, authorised activities or authorised hours - we intend to trade within the agreed hours, with no sales outside the operational time frame.
- a criminal offence - We intend to operate with integrity, therefore, We intend to operate with integrity, therefore, we will not sell alcohol to anyone underage. We will enforce this by making it mandatory for everyone to present an ID at the time of delivery.
- anti-social behaviour - we believe this won't apply to us, as we will only use the premises for storage and I will be the only one to pick up the drinks from the premises, we won't have foot traffic from delivery drivers or customers visiting the premises.

Public Safety

- overcrowding - our operation will not lead to any risk of violence or compromise the safety of people within the premises.
- fire issues - the premises already have fire safety regulations in place and since it's only us that will have access to the premises, it will be easy to evacuate if required, which of course will be reported to the fire services first, in any event of a fire.
- anyone being hurt or having an accident in licensed premises (who should seek medical care and report to the relevant authorities). - As stated before we won't have anyone visitors and the drinks we'll be handled and stored properly so we believe this will reduce the risk of someone being hurt or injured. But we will have a First Aid kit on the property and we will contact emergency services if required. We will also have an incident report and inform any relevant authorities.

Prevention of Public Nuisance

- Noise - the premises will not be used for any gathering, events or other entertainment purposes.
- Odour - Our stocks will be kept behind a closed door, which will be maintained at all times.
- Litter, waste and street fouling - As drinks will be sold just as we've bought them from our suppliers(superstores), we do not expect any usual amount of litter or street fouling as the products will be delivered straight to customers upon order.

- Light Pollution - Our operation will cause almost no pollution. We will do our part by making sure we recycle properly and going forward looking at better alternative forms of delivery, such as electric or hybrid cars and bicycles.

The Protection of Children from Harm

As we intend to use the premises for no other activity than storage, there will be no children on the premises unsupervised at all times.

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

ABOUT YOU	
Your first name (required)	Your last name (required)
Devon	Bennett
Your address including postcode (required)	
[REDACTED]	
[REDACTED]	
[REDACTED]	
Contact email address	Contact phone no
[REDACTED]	[REDACTED]

ABOUT THE PREMISES
Application Ref No. (if known):
LPA 274177
Name of the Premises about which you would like to make a representation:
Abssco Ltd
Address of the Premises (including postcode if known):
Apartment 305, Regent Court, 131 Wenlock Way, Manchester, M12 5BS

YOUR REPRESENTATION
Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)
<p>The Trading Standards Team have assessed the likely impact of the granting of this application taking into account a number of factors, including the conditions offered and times applied for and any potential risk that the granting of this application could lead to issues which do not uphold the licensing objectives specifically the prevention of children from harm.</p> <p>The application is for an alcohol delivery service. The premises where the alcohol is stored is a residential flat. We take note in the application that there will be no consumption on the premises and sales will consist of online sales, phone and text message sales.</p> <p>When considering the application, the Trading Standards Team have given consideration to Manchester City Councils Statement of Licensing Policy 2016 – 2021 specially Section 8 (MS12) Prevent underage sales of alcohol, including proxy sales and 9 Alcohol Delivery Services which states:</p> <p>8.0 (MS12) Effective and appropriate measures must be taken to ensure age restrictions are enforced at the premises. Examples given of this are details of what forms of ID are acceptable, the maintenance of refusal logs and staff training. MS12 continues stating that the licensing authorities preferred approach is a Challenge 25. This approach allows for a much stronger age verification policy as it is much easier for staff to distinguish if someone is 25 or older rather than 21. Documented staff training is also expected.</p> <p>9.1 The authority considers there are particular risks associated with delivery services for Alcohol. The authority expects measures consistent with relevant standards expected for licensed premises outlined in section 8 of this policy in conjunction with the specific provisions of this section:</p> <p>9.2 The authority expects operators to implement age-verification procedures at both the point of sale and delivery stages, with a Challenge 25 policy implemented at the point of delivery.</p> <p>9.3 Particular attention should be paid to making it clear to customers that receipt of orders that contain alcohol must be by an adult. Retailers should ensure that delivery staff have been given appropriate training in procedures relating to requesting and identifying proof of age, and implement these procedures as standard.</p>

9.4 Any promotional material including the name of the business and website should be consistent with the responsible sale of alcohol. Additionally, any website URL or telephone number to be used for orders is expected to be given to the licensing authority.

9.7 Where the authority's discretion is engaged following relevant representations, conditions restricting the operation of alcohol delivery services may be imposed by the authority where appropriate for the promotion of the licensing objectives.

The applicant has offered conditions in relation to the prevention of children from harm licensing objective. However, the conditions offered fall short of what is expected when considering the Councils Statement of Licensing Policy. The policy states that age verification should be undertaken not only at the point of delivery but also at the point of sale. In the application the applicant has stated that age verification checks will be carried out during delivery. Therefore, it would appear that age verification checks would not be carried out at the point of sale, it is also difficult to see how the applicant would be able to do this through orders which are taken by telephone or text message. The applicant has also failed to propose any conditions relating to staff training specifically what training would be given, how it would be recorded and how often it would be refreshed. Furthermore, there have been no proposed conditions for refusal recording or what acceptable forms of ID will be accepted.

Giving consideration to the above policy and the application the Trading Standards Service are of the opinion that the applicant has given very little consideration when making this application. The conditions offered lack key detail and give concerns that the applicant does not fully understand their role as a licence holder and how they will uphold the four licensing objectives. Therefore, we recommend the application is refused.

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

REP Abssco Ltd MAU 274177

Nathan Mistry [REDACTED]

Wed 16/11/2022 14:36

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

Cc: [REDACTED]

<[REDACTED]>

Good Afternoon,

Please find pasted my representation from the LOOH team re **Abssco Ltd - MAU 274177**.

I am looking to refuse the application.

The Licensing and Out of Hours Team (LOOHT) have assessed the likely impact of the granting of this application taking into account a number of factors, including style of operation, the nature of the area, hours applied for and any potential risks that the granting of this application could lead to.

LOOHT have given particular consideration to Manchester City Council's Statement of Licensing Policy, specifically s.7.25 in that the licensing authority will ensure that due consideration will be given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises; as well as s.7.28 in that the licensing authority will give consideration to the appropriateness of hours applied for, having regard for the location of premises and their likely effect of the promotion of the four Licensing Objectives.

The premises is a residential block of flats situated in Flat 305, Regent Court", 131 Wenlock Way, Manchester, M12 5BS. The applicant has stated the location of the premises will be in "room 2", which after having a look at the plans seems to be the spare bedroom of the property.

The applicant has applied for the supply of alcohol for consumption off the premises only:

Mon to Sun 10pm to 5am - Premises is not open to the public

LOOHT have significant concerns regarding the location of the unit the premises will be operating from. The proposed premises is a bedroom within a dwelling in a highly populated residential block of flats.

LOOHT feel the location of the premises would not be suitable for the delivery of alcohol, as significant noise issues could arise when transporting bottles/crates/vessels of alcohol to and from vehicles in the early hours of the morning up to 5am. There would also be significant noise issues from doors opening and closing when transporting the alcohol out of the flat, as well as staff entering and exiting throughout the night/early mornings.

LOOHT also have concerns regarding vehicles picking up and dropping alcohol off, which could generate noise nuisance issues to local residents, especially when operating in the early hours of the morning.

If the application is granted, LOOHT are of the opinion that the increased traffic to the premises by delivery drivers in the very early hours of the morning, collecting and moving

alcohol for deliveries, would generate noise nuisance not normally experienced by nearby local residents and neighbours within the residential block of flats.

The licensing conditions the applicant has provided in relation to Noise Nuisance are very vague and there is no mention of how they would operate the business effectively and responsibly in regards to noise nuisance.

The application submitted does not demonstrate in any way how they will manage the associated higher risk in operating until 5am in a highly populated residential block of flats and has nothing in the way of enforceable conditions.

The application shows little understanding of the licensing objectives or the application process and this concerns us as to how the premises will be run. Therefore, we ask this application is refused.

Recommendation: Refuse Application

Kind regards,

Nathan.



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GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	PC Alan Isherwood
Address including postcode	1 st Floor Manchester Town Hall Extension Lloyd Street Manchester
Contact Email Address	[REDACTED]
[REDACTED]	[REDACTED]

About the Premises

Application Reference No.	LPA 274177
Name of the Premises	Abssco Ltd
Address of the premises including postcode	[REDACTED] Flat 305, Regent Court, 131 Wenlock way, Manchester M12 5BS

Your Representation

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

Please accept this as formal notification of the Greater Manchester Police objection to the premises licence application in relation to the above premises on the grounds of Prevention of Crime and Disorder and the Prevention of Public Nuisance.

The applicant is applying to obtain a premises licence to operate an alcohol delivery service from his home address, which is a flat within a block of flats, in a heavily residential area. The hours that they are seeking to deliver the alcohol is from 1000 hours until 0500 hours each day.

GMP are very concerned that if this application was granted there could be deliveries being taken out of the flat until 0500 hours each morning, which is extremely likely to cause a disturbance to the other residents who live in the block as well as those living in adjacent properties, as the sound of the vehicle being started up throughout the night will almost certainly be a nuisance.

This disturbance may well lead to confrontation between the neighbours and the applicant which could in turn result in calls to service for GMP and complaints to the council.

Therefore, due to the unsuitability of the premises for such an endeavour we would ask that this application is refused.

Resident 1

From: [REDACTED]

Sent: 19 October 2022 22:19

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

Subject: Premises Licence (new) 274177/AM2: Abssco Ltd, Room 2 Flat 305, Regent Court, 131 Wenlock Way, Manchester, M12 5BS, (Ardwick ward)

Hi,

I don't think that a residential premises should be used for the storage of alcohol.

Won't this impact on local residents in terms of people coming to collect and deliver the said Alcohol all through the night till 5am? If the intention is to sell alcohol throughout the night through to the early hours of the morning I find it hard to believe only one person will be delivering.

Has this person got an alcohol licence yet?

In addition to all of this, has this person got business insurance that will cover a fire to the whole building?

Thank you,

[REDACTED]

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

Document is Restricted

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