



Licensing Sub Committee Hearing Panel

Date: Tuesday, 3 January 2023

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 - Hassan, Hughes 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 - Forty-Seven, 47 Peter Street, Manchester, M2 3NG** 5 - 70
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 5. Application for a New Premises Licence - Catlight Solution Ltd, Unit F22, Big Yellow Storage, 1 New Elm Road, Manchester, M3 4JH** 71 - 134
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, 21 December 2022** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

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**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 3 January 2023

Subject: Forty-Seven, 47 Peter Street, Manchester, M2 3NG - App ref: Premises Licence (new) 281231

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: Deansgate

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Name: Bryan Johnson
Position: Technical Licensing Officer
Telephone: 0161 234 1248
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 03/11/2022, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Forty-Seven, 47 Peter Street, Manchester, M2 3NG in the Deansgate ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Kro Hotels Manchester M2 Ltd.
- 2.3 The description of the premises given by the applicant is:
Hotel on the corner of South Mill Street and Peter Street comprised of six floors.
- 2.4 The proposed designated premises supervisor is Miss Ewelina Bastian.
- 2.5 **The licensable activities applied for:**
- Provision of regulated entertainment (live music):
Mon to Sun 12noon to 2am
- Provision of regulated entertainment (recorded music):
Mon to Sun 24 hours per day
- Provision of late-night refreshment:
Mon to Sun 11pm to 5am
- The supply of alcohol for consumption on the premises only:
Mon to Sun 24 hours per day
- Opening hours:

Mon to Sun 24 hours per day

(24 hour mini-bar service and hotel room service menu of both food and drink for hotel guests and their bona fide guests).

- 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**.

3. **Relevant Representations**

- 3.1 A total of 2 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 Licensing and Out of Hours Compliance Team;

- 3.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	GMP have submitted a representation against the application on the likelihood of all the Four Licensing Objectives being adversely impacted upon and/or breached should the application be granted in its current form. GMP believe this to be so due to the lack of	Refuse

	<p>enforceable conditions being proffered via the applications Operating Schedule (those few that are being put forward are regarded by GMP as being 'vague' and 'generic' and also that they provide little if no, assurance that the premises will be operated to the standards expected and that the Licensing Objectives would be undermined as a direct consequence).</p> <p>GMP are, therefore, requesting that the application be refused.</p>	
Licensing and Out of Hours Compliance	LOOH Compliance Team are objecting to the application on the same grounds as GMP and are also requesting that the application, as it currently stands, be refused.	Refuse

3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4** (N.B.- Not applicable as no conditions are being proposed by those objecting to the application).

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
- Ability to clean and maintain the street scene

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

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

- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS5 Prevent on-street consumption of alcohol
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS8 Prevent noise nuisance from the premises
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales.

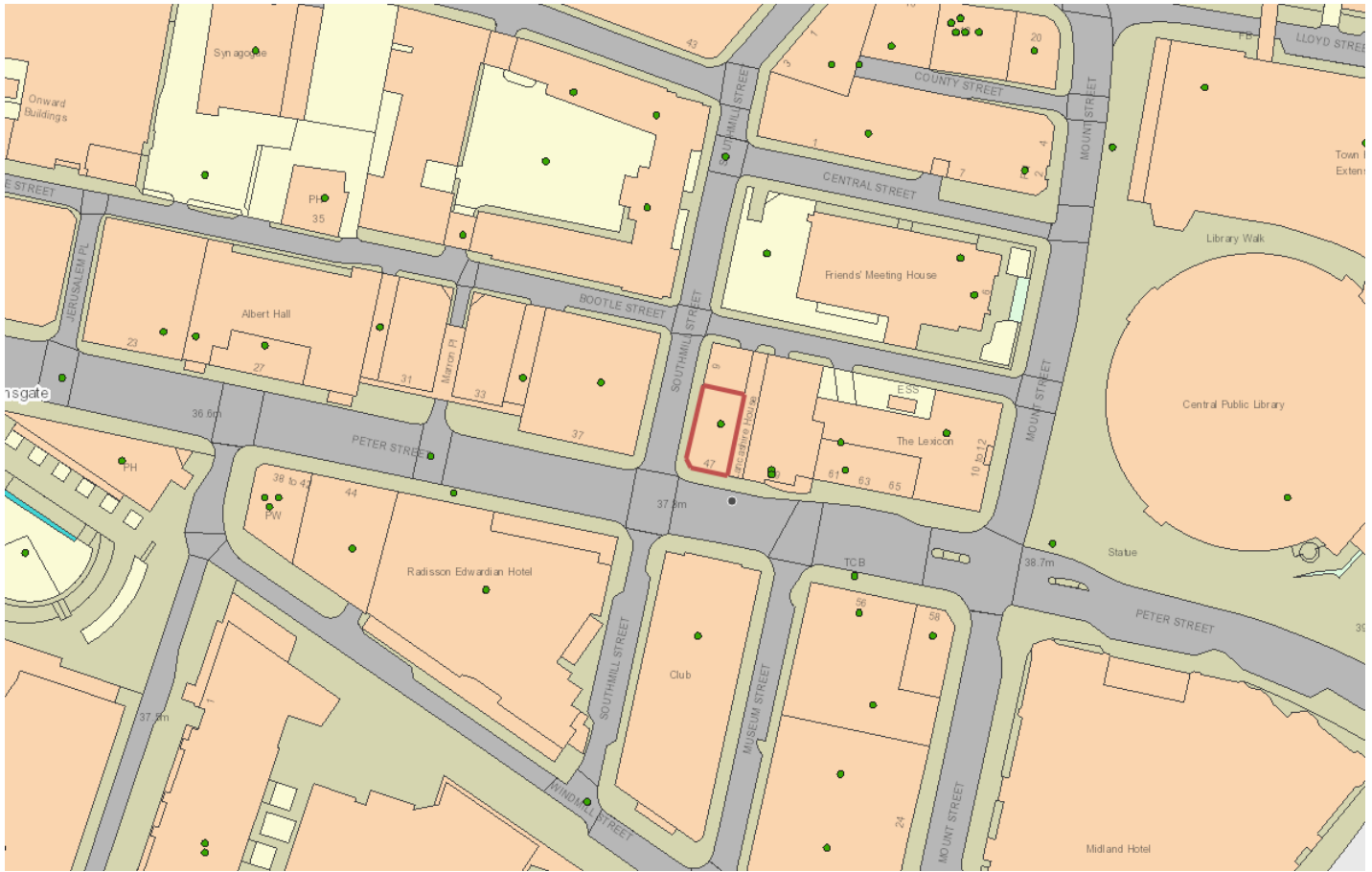
5. Conclusion

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.**



47
47 Peter Street, Manchester, M2 3NG

Premises Licensing
Manchester City Council

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PREMISE NAME: 47

PREMISE ADDRESS: 47 Peter Street, Manchester, M2 3NG

WARD: Deansgate

HEARING DATE: 3rd January 2023

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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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 KRO HOTELS M2 LTD / Forty-Seven
(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			
Forty-Seven 47 Peter Street ████████████████████			
Post town	Manchester	Postcode	M2 3NG

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

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **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	X	please complete section (B)
	ii as a partnership (other than limited liability)		please complete section (B)
	iii as an unincorporated association or		please complete section (B)
	iv other (for example a statutory corporation)		please complete section (B)

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

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

- **I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or X**
- ~~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 'share code' provided to the applicant by that service (please see note 15 for information)					

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Second individual applicant (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		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 'share code' provided to the applicant by that service: (please see note 15 for information)					

(B) Other applicants

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

Name KRO HOTELS M2 LTD
Address 272 Bath Street Glasgow G2 4JR

Registered number (where applicable) SC 45 84 62
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) ██████████
E-mail address (optional) ██

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
07	11	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)

The property semi-detached 5 floor building located on Peter Street corner of South Mill Street. It surrounded by office buildings through south mill street and Bootle Street and restaurant/café on 49 Peter Street. The property does not have a parking or outer dining/ meeting area. It consists of 1 guest main entrance on Peter Street.

The property consists of 5 floors of public spaces. Lower ground contains a public space, kitchen, 2 sets of toilets, cellar, access to the lift and access to the basement. Upper-level floor contains of a restaurant area, service bar, disabled toilet, access to guest lift and restaurant lift. Hotel levels: 1st floor containing: 1 accessible bedroom, 2 large suites, 7 standard bedrooms, hotel refuse store, linen storeroom, electrical plant room, 2nd floor containing: 1 accessible bedroom, 2 large suites, 8 standard bedrooms, linen storeroom, electrical plant room, 3rd floor containing: 2 standard bedrooms, 2 large suites, 7 duplex style bedrooms, linen storeroom, electrical plant room. All floors accessible via guest lift and main hotel staircase. Hotel also contains a basement level for internal use only. It is a large space used as a dry store, chiller space and pump room.

The lower and upper ground floor (bar and restaurant) caters for both food and alcohol service for outside dinners and hotel guests. It is suitable for small party dining, large parties, conference events. All hotel bedrooms and suites include

mini bar service suitable for double occupancy. Room service available 24/7 to hotel residents.

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

N/A

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

(please see sections 1 and 14 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)	X
f)	recorded music (if ticking yes, fill in box F)	X
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)	

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	X
<u>Supply of alcohol</u> (if ticking yes, fill in box J)	X

In all cases complete boxes K, L and M

A N/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	
Day	Start	Finish		Outdoors	
Mon				Both	
			<u>Please give further details here</u> (please read guidance note 4)		
			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
			<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)		

B **N/A**

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	Finis h		Outdoors	
Mon				Both	
			<u>Please give further details here</u> (please read guidance note 4)		
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
			<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)		

C N/A

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			<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			
Sat			
Sun			

D N/A

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	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Wed					
Thur			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)		
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	X
Day	Start	Finish		Outdoors	
				Both	
Mon	1200	0200	<u>Please give further details here</u> (please read guidance note 4) Licensed to take place indoors only.		
Tue	1200	0200			
Wed	1200	0200	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5) Seasonal variations and Non-standard Timings: New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day On the day British Summer Time commences: one additional hour following the terminal hour.		
Thur	1200	0200			
Fri	1200	0200	<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	1200	0200			
Sun	1200	0200			

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	X
Day	Start	Finish		Outdoors	
				Both	
Mon	0000	2400	<u>Please give further details here</u> (please read guidance note 4) Licensed to take place indoors only.		
Tue	0000	2400			
Wed	0000	2400	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day On the day British Summer Time commences: one additional hour following the terminal hour.		
Thur	0000	2400			
Fri	0000	2400	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	0000	2400			
Sun	0000	2400			

G N/A

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	
Day	Start	Finish		Outdoors	
Mon				<u>Please give further details here</u> (please read guidance note 4)	Both
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 N/A

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	X
Day	Start	Finish		Outdoors	
				Both	
Mon	2300	0500	<u>Please give further details here</u> (please read guidance note 4) Licensed to take place indoors only.		
Tue	2300	0500		24 hour mini-bar service and hotel room service menu of both food and drink for hotel guests and their bona fide guests.	
Wed	2300	0500	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day. On the day British Summer Time commences: One additional hour following the terminal hour.		
Thur	2300	0500			
Fri	2300	0500	<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	2300	0500			
Sun	2300	0500			

Personal licence number (if known)

██████████

Issuing licensing authority (if known)

██

K

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

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	0000	2400	24 hour hotel
Tue	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
			<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)

Sat	0000	2400	
Sun	0000	2400	

M

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

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

The person named on the license will ensure that at all times there are licensable activities there are sufficient competent staff on duty.
Staff will be aware of the licensable activities and will complete training every 6 months that includes, challenge 25 of no ID no sale, wights and measures, and points below B, C, D and E.

b) The prevention of crime and disorder

Sale after 23:00 to the public (other that hotel guests) will be with door supervisor
Training on drunkenness and spotting the signs
CCTV in place, recorded and kept for up to 28 days
Training on conflict management

c) Public safety

No smoking
Safe guarding policy
Fire training, Fire extinguishers, fire alarm, emergency exits signposted
Terror training
24 hour duty manager

d) The prevention of public nuisance

Refusal log in place
Customers and guests will be requested to leave quietly

e) The protection of children from harm

Challenge 25 policy in place with training every 6 months Safe guarding policy Refusal log in place

Checklist:**Please tick to indicate agreement**

•	I have made or enclosed payment of the fee.	Please can I pay by card or link?
•	I have enclosed the plan of the premises.	Attached
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	Can you provide the contacts?
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	Attached
•	I understand that I must now advertise my application.	Done
•	I understand that if I do not comply with the above requirements my application will be rejected.	Agree
•	[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	██████
Capacity	██████████

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)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. 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.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i)

- the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.

8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.
15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

They do this in one of two ways:

- 1) by providing with this application, copies or scanned copies of the documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance.
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Home Office online right to work checking service.

As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth, will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

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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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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]
Contact Telephone Number	[REDACTED]

About the Premises

Application Reference No.	LPA 281231
Name of the Premises	Forty-Seven
Address of the premises including postcode	47 Peter Street, Manchester M2 3NG

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 in relation to the above premises on the grounds of Prevention of Crime and Disorder and the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.

The operating schedule which accompanies the application offers very little in terms of enforceable conditions. The conditions that have been offered are very vague and generic which gives the impression that the applicant has a limited understanding of the Licensing Objectives, which raises concerns about how the premises will be operated.

The likely effect of the grant of the Premises Licence with such a scant operating schedule is that all 4 of the Licensing Objectives will be undermined.

We therefore ask that this application is refused.



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details

Application Ref No	REF 281231
Name of Premises	Forty-Seven
Address	47 Peter Street, Manchester, M2 3NG

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 team (LOOH) have assessed the likely impact of the granting of a premises licence of this application taking into account a number of 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.

The LOOH team have also considered Manchester City Council's Statement of Licensing Policy 2021-2026, with particular reference to 7 - Local Factors and 8 - Manchester's standards to promote the licensing objectives.

The premises is located on Peter Street, the basement and mezzanine/first floor is Asha's restaurant which has a premises licence, the floors above are a new hotel. This application is for a licence to cover the whole of the premises.

The application requests recorded music and supply of alcohol 24 hours per day, Late Night Refreshment from 23.00-05.00 and that the premises are open to the public 24 hours each day. The premises is on one of the busiest streets in Manchester's night time economy. The applicant offers very few conditions in their application, and those offered would not enable them to uphold the licensing objectives.

LOOH are not satisfied that the conditions offered are sufficient to uphold the four licensing objectives and have little, if any, regard to the Statement of Licensing Policy or any serious consideration to the impact that the grant of this licence would have on the local area.

Recommendation: Refuse Application

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. The person named on the license shall ensure that at all times there are licensable activities there are sufficient competent staff on duty. 2. Staff shall be aware of the licensable activities and shall complete training every 6 months that includes, Challenge 25, Weights and Measures. 3. Sale after 23:00 to the public (other than hotel guests) shall be with door supervisor. 4. Training on drunkenness and spotting the signs. 5. CCTV in place, recorded and kept for up to 28 days. 6. Training on conflict management. 7. Refusal log in place. 8. Customers and guests shall be requested to leave quietly. 9. Challenge 25 policy in place with training every 6 months. 	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
None	N/A	GMP
None	N/A	Licensing and Out of Hours

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**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 3 January 2023

Subject: Catlight Solution Ltd, Unit F22, Big Yellow Storage, 1 New Elm Road, Manchester, M3 4JH - App ref: Premises Licence (new) 282417

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: Deansgate

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

Name: Fraser Swift
Position: Principal Licensing Officer
Telephone: 0161 234 1176
E-mail: 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 07/11/2022, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Catlight Solution Ltd, Unit F22, Big Yellow Storage, 1 New Elm Road, Manchester, M3 4JH in the Deansgate ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Catlight Solution Ltd.
- 2.3 The description of the premises given by the applicant is alcohol delivery only with no admittance to the general public.
- 2.4 The proposed designated premises supervisor is to be confirmed. An application to Vary the Premises Licence to Specify a DPS will be required should application be granted.
- 2.5 **The licensable activities applied for:**
- The supply of alcohol for consumption off the premises only:
- Mon to Sun 12 midnight to 12 midnight (24 hours/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 the Premises

3. **Relevant Representations**

3.1 A total of two 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;
- MCC Trading Standards

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	Potential risk of the licensing objectives being undermined should this licence application be granted without additional conditions.	Grant with conditions
Trading Standards	Potential risk that the granting of this application could lead to issues which do not uphold the licensing objectives specifically the protection of children from harm.	Grant with conditions

3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**. Please note: Both Licensing Out of Hours and

Trading Standards have proposed similar but different conditions regarding Challenge 25.

- 3.4 No agreements on conditions have been reached with Licensing Out of Hours or Trading Standards.

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 New Information

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

4.3 Hearsay Evidence

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

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

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

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

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

4.5 Manchester Statement of Licensing Policy

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

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

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

- Identified risk factors specific to the licensed premises
- Consistency with relevant Council strategies

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.

MS12 Prevent underage sales of alcohol, including proxy sales

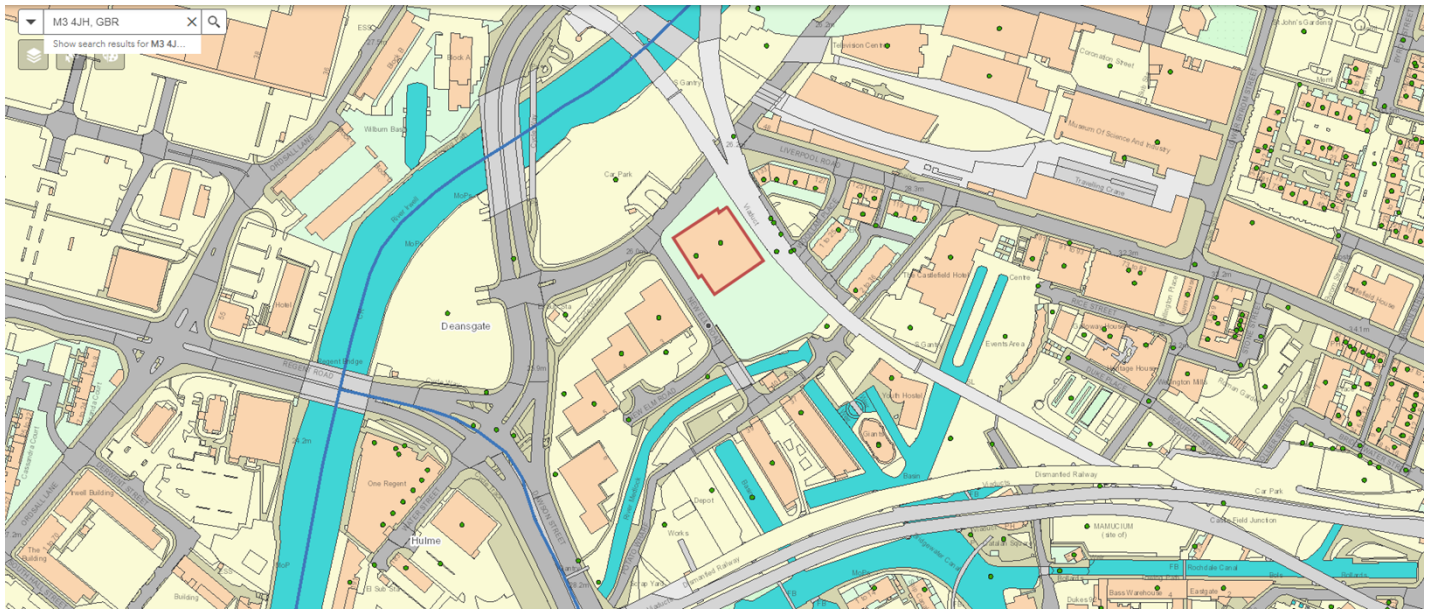
Section 9: Alcohol delivery services

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.**



Catlight Solution Ltd
Unit F22, Big Yellow Storage, 1 New Elm Road,
Manchester, M3 4JH

Premises Licensing
Manchester City Council

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Survey100019568.



PREMISE NAME:	Catlight Solution Ltd
PREMISE ADDRESS:	Unit F22, Big Yellow Storage, 1 New Elm Road, Manchester, M3 4JH
WARD:	Deansgate
HEARING DATE:	03/01/2022

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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**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 CATLIGHTSOLUTION 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			
UNIT F22 BIG YELLOW STORAGE 1 NEW ELM ROAD			
Post town	MANCHESTER	Postcode	M3 4JH
Telephone number at premises (if any)			
Non-domestic rateable value of premises			

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 | √ | 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 over		I am 18 years old or		<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)					

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 over		I am 18 years old or <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)			

(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 CATLIGHTSOLUTION LTD
Address ACCESS HOUSE MANOR ROAD LONDON W13 0AS
Registered number (where applicable) 14172935
Description of applicant (for example, partnership, company, unincorporated association etc.) PRIVATE LIMITED COMPANY
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start? AS SOON AS POSSIBLE

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

Alcohol delivery only
No admittance of general public

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

B

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

C

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

D

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

E

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed			<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)		
Thur					
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)		
Mon	00:00	24:00			
Tue	00:00	24:00			
Wed	00:00	24:00			
Thur	00:00	24:00			
Fri	00:00	24:00			
Sat	00:00	24:00			
Sun	00:00	24:00			

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

Name	
Not appointed at present	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

□□□□

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).
 NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon			NOT OPEN TO PUBLIC
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

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

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

1. Members of the public shall not be allowed on the premises at any time.
2. Orders will only be despatched to bona fide addresses. No deliveries will be made to an open space.
3. All sales of alcohol for delivery must be paid for by credit card, debit card (pre-paid or otherwise) or electronic payment.
4. Details of the order (including the type, amount of alcohol, name and address of the customer and delivery address if different) must be included with the order.
5. All delivery drivers and riders must allow any police or authorised local authority officers to inspect any alcohol.
6. The licence and premises are to fulfil sales for delivery by courier and no direct sales shall take place to the general public from the site.

Could any responsible authorities who wish to put in any objection please contact the agent first to see if any agreement can be made.

b) The prevention of crime and disorder

Cctv at the big yellow self storage controlled by big yellow self storage but not in actual unit

c) Public safety

See above in a)

Exit routes to be kept clear

d) The prevention of public nuisance

See above in a

Notices shall be displayed at all exits from the premises requesting STAFF leaving the premises late at night to do so quietly and with consideration to nearby residents.

e) The protection of children from harm

1. The Licence holder shall ensure that anyone utilised by the licence holder for the role of delivering alcohol orders ensures that the alcohol is delivered to the client who ordered the alcohol, or ensures that any 'safe place' as designated by the client where the delivery can be left must be in an area not visible to the general public and not where any minor can access the delivery.

2. A record of refusals shall be maintained which documents every instance that a sale or supply of alcohol is refused, indicating the date and time the refusal was made, and the member of staff making the refusal

3. The record of refusals shall be available for inspection by authorised officers of the licensing authority, officers of the trading standards service, and officers of the police

4. All staff that undertake the sale or supply of alcohol shall receive appropriate training in relation to undertaking appropriate age checks on such, before being allowed to sell or supply any alcohol. Refresher training will be carried out at least every three months.

Checklist:

Please tick to indicate agreement

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

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE

WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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

Part 4 – Signatures (please read guidance note 11)

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

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, if appropriate (please see note 15)
Signature	
Date	7 TH November 2022
Capacity	AGENTS

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

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. 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.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details

Application Ref No	282417
Name of Premises	Catlight Solution Ltd
Address	Unit F22, Big Yellow Storage, 1 New Elm Road, Manchester, M3 4JH

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 Team (LOOHT) have assessed this application, considering factors including the nature of the area in which the premises is located, the manner in which the business proposes to operate, and the potential risk of the licensing objectives being undermined should this licence application be granted without additional conditions.

In reaching our decision, the LOOHT have given particular consideration to:

Manchester City Council's Statement of Licensing Policy 2016 – 2021:

Section 8: Manchester's standards to promote the licensing objectives, specifically; **MS12** Prevent underage sales of alcohol, including proxy sales

Section 9. Alcohol delivery services

Consideration has also been given to The Licensing Act 2003 Model Conditions – Alcohol Deliveries.

LOOHT has engaged with the applicant to gain an understanding of their business and how they propose to operate. We understand it will be an alcohol delivery service with no admission to the general public.

Orders will be placed either directly with the premises (via telephone or their app/website) or online via third-party delivery services. Examples of these delivery services, as given by the applicant, are Amazon, Just Eat and similar.

The applicant has proposed to operate a Challenge 25 policy and has also proposed conditions to ensure staff training in this policy. However, this training and oversight of the age verification policy appears only to apply to

orders placed directly with the licence holder and deliveries undertaken by staff directly employed by the licence holder.

There is no enforceable provision made in the conditions proposed by the applicant to ensure that, where third-party ordering or delivery services are used, that they are also implementing the Challenge 25 policy. The applicant has not been able to explain how they will verify that the appropriate checks are made and how they would evidence this to a responsible authority.

LOOHT has attempted to negotiate with the applicant, having regard to the particular nature of their business and achieved some agreement and amendments. However, concerns remain regarding the enforcement of the Challenge 25 policy and the applicant's apparent unwillingness to ensure that their partner services are proactively upholding the licensing objectives, in particular, The Protection Of Children From Harm.

The Statement of Licensing Policy states the following in relation to alcohol deliveries:

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:

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.

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.

The majority of the conditions below have already been proposed by the applicant. With our amendments included, LOOHT recommends that the application be granted only with the inclusion of the following:

1. Challenge 25 to be operated and applied to all deliveries of age-restricted products by drivers. Age verification of persons who appear to be under 25 years of age to be undertaken at point of delivery on all occasions
2. The premises licence holder / designated premises supervisor will adopt the Challenge 25 policy throughout the whole process of operation, so that at any time, if customers are unable to prove they are 18, then the supply of alcohol will be refused at the point of any ordering procedure or facility
3. Proof of age to be determined by means of either a passport, photographic driving licence, military ID, PASS approved proof of age card or any government approved proof of age only. These checks must be made for every delivery of age-restricted products regardless of previous checks.

4. The premises License Holder is to have a documented policy in relation to how age restricted products are sold on-line and the checks that are to be made. This policy is to be made available to any of the responsible authorities on request.
5. Age verification tick box must be completed, and date of birth must be obtained before any purchase of age-restricted goods on website, mobile app and telephone order forms
6. Purchasers of age-restricted goods on website, mobile app or telephone orders must be informed when placing an order that age verification will be required upon delivery. For telephone orders this statement must be given verbally and confirmed on telephone order forms.
7. Where 3rd party ordering platforms or delivery services are used (e.g., Just Eat, Uber Eats, Deliveroo etc.), the licence holder must ensure that these services operate a Challenge 25 policy and that this is implemented at the point of purchase and the point of delivery.
8. On request of a responsible authority, the licence holder must provide satisfactory evidence of the age verification policy operated by the 3rd party service (e.g., documented contract or terms and conditions)
9. Delivery will be made only to the address indicated on each respective order and no other
10. Delivery will be refused to any person who is, or who appears to be under the influence of alcohol or drugs,
11. Where delivery of alcohol by any third-party courier is refused for any of the reasons given above, the premises licence holder / designated premises supervisor will then continue communication with the third-party courier and will ensure that the refusal is logged.
12. Each driver employed directly by the licence holder is to maintain a refusals log which is to be kept up to date with a record of all refusals to deliver age-restricted products in accordance with the Challenge 25 policy by that driver. A copy of these logs is to be collated weekly by the designated premises supervisor and maintained in a file. This file is to be made available immediately upon request of an authorised officer of Manchester City Council or GMP.
13. The designated premises supervisor will maintain a file containing all the relevant material which relates to preventing the sale of age-restricted products to underage persons. The contents of the file will be used in the course of providing training to staff on that subject.
14. Training shall be provided to all new employees and delivery drivers employed directly by the licence holder prior to commencement of their employment and/or deliveries. This shall include:
 - The 'Challenge 25 Policy and its operation.
 - Recognising signs of drunkenness
 - Refusal of sale or delivery
 - How to record any refusals
15. The designated premises supervisor is to keep a written record of all training provided and employees and delivery drivers

are to sign and date the record to confirm that the training has been received and understood.

16. Refresher training is to be provided, at least every three months, to all existing employees and delivery drivers employed directly by the licence holder, on the law relating to underage sales. The designated premises supervisor is to keep a written record of all training provided and employees and delivery drivers are to sign and date the record to confirm that the training has been received and understood.

17. Training records are to be made available immediately upon request of an authorised officer of Manchester City Council or GMP.

18. The designated premises supervisor is to maintain a file recording details of any allegations of the sale of age-restricted products to underage persons from the premises that have been reported to the business (including notifications from Manchester City Council). Any remedial action undertaken following such a report is also to be recorded in the file. This file is to be made available immediately upon request of an authorized officer

19. General public shall not be admitted to the licensed premises although public have access to the Safestore site in general

20. CCTV shall operate in the main building but not in the licensed unit

21. All exit routes shall be kept clear

Recommendation:

Approve with Conditions (Outlined Above)

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

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

ABOUT THE PREMISES
Application Ref No. (if known):
LPA 282417
Name of the Premises about which you would like to make a representation:
Catlight Solution Ltd, Unit F22, Big Yellow Storage
Address of the Premises (including postcode if known):
1 New Elm Road, Manchester, M3 4JH

YOUR REPRESENTATION
Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)
<p>The Trading Standards Team have assessed the likely impact of the granting of this application taking into account a number of factors, including the conditions offered and times applied for and any potential risk that the granting of this application could lead to issues which do not uphold the licensing objectives specifically the protection of children from harm.</p> <p>The application is for an online alcohol delivery service.</p> <p>When considering the application, the Trading Standards Team have given consideration to Manchester City Councils Statement of Licensing Policy 2021 – 2026.</p> <p>The original application addresses few points relating to the Licensing Objectives especially in protecting children from harm.</p> <p>Giving consideration to the above application, the Trading Standards Team therefore recommend that the following conditions are applied to the licence.</p> <p>Remove Condition(from the application):</p> <ol style="list-style-type: none"> 1. The Licence holder shall ensure that anyone utilised by the licence holder for the role of delivering alcohol orders ensures that the alcohol is delivered to the client who ordered the alcohol, or ensures that any 'safe place' as designated by the client

where the delivery can be left must be in an area not visible to the general public and not where any minor can access the delivery.

Conditions to be attached to the licence:

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 and sales by proxy. This training will be documented, and training should be refreshed at no greater than 3 monthly Intervals.
3. A message will be displayed on the website notifying customers of the Challenge 25 policy in place and that orders will not be left with any person under 18 years of age upon delivery and that the courier may request the recipient to produce satisfactory identification evidence to prove that they are at least 18 years of age.
4. All sales will be made through online sales only, there shall be no other means to place an order.
5. All staff engaged in the delivery of alcohol will be trained with regards to the Challenge 25 policy. This training will be documented, and training should be refreshed at no greater than 12 monthly Intervals. The Premises Licence holder shall also ensure that all employees of any third party engaged in the delivery of alcohol, i.e. couriers have also been trained by their employers regarding the Challenge 25 policy. This training should also be documented.
6. At the point of delivery, the Challenge 25 policy should be operated. The only ID that should be accepted is a passport, photo driving licence, PASS accredited proof of age card or military identification card. Alcohol shall not be left in a designated or safe place.
7. The Premises Licence Holder will ensure that a sticker is applied to all consignments of alcohol. It shall read "Note to delivery service, this package contains age restricted products. Ensure recipient is over 18".

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

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Members of the public shall not be allowed on the premises at any time. 2. Orders will only be despatched to bona fide addresses. No deliveries will be made to an open space. 3. All sales of alcohol for delivery must be paid for by credit card, debit card (pre-paid or otherwise) or electronic payment. 4. Details of the order (including the type, amount of alcohol, name and address of the customer and delivery address if different) must be included with the order. 5. All delivery drivers and riders must allow any police or authorised local authority officers to inspect any alcohol. 6. The licence and premises are to fulfil sales for delivery by courier and no direct sales shall take place to the general public from the site. 7. CCTV at the Big Yellow Self Storage controlled by Big Yellow Self Storage but not in actual unit. 8. Exit routes to be kept clear. 9. Notices shall be displayed at all exits from the premises requesting STAFF leaving the premises late at night to do so quietly and with consideration to nearby residents. 10. The Licence holder shall ensure that anyone utilised by the licence holder for the role of delivering alcohol orders ensures that the alcohol is delivered to the client who ordered the alcohol, or ensures that any 'safe place' as designated by the client where the delivery can be left must be in an area not visible to the general public and not where any minor can access the delivery. 11. A record of refusals shall be maintained which documents every instance that a sale or supply of alcohol is refused, indicating the date and time the refusal was made, and the member of staff making the refusal. 12. The record of refusals shall be available for inspection by authorised officers of the licensing authority, officers of the trading standards service, and officers of the police. 13. All staff that undertake the sale or supply of alcohol shall receive appropriate training in relation to undertaking appropriate age checks on such, before being allowed to sell or supply any alcohol. Refresher training will be carried out at least every three months. 14. The premises licence holder / designated premises supervisor will adopt an age verification policy throughout the whole process of operation, so that at any time, if customers are unable to prove they are 18, then the supply of alcohol will be refused at the point 	N/A	Applicant

<p>of any ordering procedure or facility</p> <p>15. Proof of age to be determined by means of either a passport, photographic driving licence, military ID, PASS approved proof of age card or any government approved proof of age only. These checks must be made for every delivery of age-restricted products regardless of previous checks.</p> <p>16. The premises License Holder is to have a documented policy in relation to how age restricted products are sold on-line and the checks that are to be made. This policy is to be made available to any of the responsible authorities on request.</p> <p>17. Age verification tick box must be completed and date of birth must be obtained before any purchase of age-restricted goods on website, mobile app and telephone order forms</p> <p>18. Purchasers of age-restricted goods on website, mobile app or telephone orders must be informed when placing an order that age verification will be required upon delivery. For telephone orders this statement must be given verbally and confirmed on telephone order forms.</p> <p>19. Challenge 25 to be operated and applied to all deliveries of age-restricted products by drivers. Age verification of persons who appear to be under 25 years of age to be undertaken at point of delivery on all occasions</p> <p>20. Where the premises licence holder / designated premises supervisor instructs only third party couriers to deliver any items of alcohol previously ordered, every such delivery company must adopt a 'Check 25 policy', so that if on request, acceptable photographic documents cannot be produced to prove the date of birth of the purchaser, then the delivery will be refused outright,</p> <p>21. In all cases,</p> <ul style="list-style-type: none"> i. delivery will be made only to the address indicated on each respective order and no other, ii. delivery will be refused to any person who is, or who appears to be under the influence of alcohol or drugs, iii. Where delivery of alcohol by any third party courier is refused for any of the reasons given above, the premises licence holder / designated premises supervisor will then continue communication with the third party courier. <p>22. Each driver employed directly by the licence holder is to maintain a refusals log which is to be kept up to date with a record of all refusals to deliver age-restricted products in accordance with the Challenge 25 policy by that driver. A copy of these logs is to be collated weekly by the designated premises supervisor and maintained in a file. This file is to be made available immediately</p>		
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<p>upon request of an authorised officer of Manchester Council or GMP.</p> <p>23. The designated premises supervisor will maintain a file containing all the relevant material which relates to preventing the sale of age-restricted products to underage persons. The contents of the file will be used in the course of providing training to staff on that subject.</p> <p>24. Training on the law relating to underage sales is to be provided to all new employees and delivery drivers employed directly by the licence holder prior to commencement of their employment and/or deliveries. The designated premises supervisor is to keep a written record of all training provided and employees and delivery drivers are to sign and date the record to confirm that the training has been received and understood.</p> <p>25. Refresher training is to be provided, at least every three months, to all existing employees and delivery drivers employed directly by the licence holder, on the law relating to underage sales. The designated premises supervisor is to keep a written record of all training provided and employees and delivery drivers are to sign and date the record to confirm that the training has been received and understood.</p> <p>26. Training records are to be made available immediately upon request of an authorised officer of Manchester Council or GMP.</p> <p>27. The designated premises supervisor is to maintain a file recording details of any allegations of the sale of age-restricted products to underage persons from the premises that have been reported to the business (including notifications from Manchester Council). Any remedial action undertaken following such a report is also to be recorded in the file. This file is to be made available immediately upon request of an authorized officer</p> <p>28. General public shall not be admitted to the licensed premises although public have access to the SELFSTORE site in general</p> <p>29. CCTV shall operate in the main building but not in the licensed unit</p> <p>30. All exit routes shall be kept clear</p> <p>1 to 13 submitted with application, 14 to 30 proposed to Responsible Authorities on 05/12/2022.</p>		
Conditions proposed by objectors	Agreed	Proposed by
<p>1. Remove Condition 10(from the application):</p> <p>The Licence holder shall ensure that anyone utilised by the licence holder for the role of delivering alcohol orders ensures that the alcohol is delivered to the client who ordered the alcohol, or ensures that any 'safe place' as designated by the client where the</p>	No	Trading Standards

<p>delivery can be left must be in an area not visible to the general public and not where any minor can access the delivery.</p> <p>Conditions to be attached to the licence:</p> <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 and sales by proxy. This training will be documented, and training should be refreshed at no greater than 3 monthly Intervals. 3. A message will be displayed on the website notifying customers of the Challenge 25 policy in place and that orders will not be left with any person under 18 years of age upon delivery and that the courier may request the recipient to produce satisfactory identification evidence to prove that they are at least 18 years of age. 4. All sales will be made through online sales only, there shall be no other means to place an order. 5. All staff engaged in the delivery of alcohol will be trained with regards to the Challenge 25 policy. This training will be documented, and training should be refreshed at no greater than 12 monthly Intervals. The Premises Licence holder shall also ensure that all employees of any third party engaged in the delivery of alcohol, i.e. couriers have also been trained by their employers regarding the Challenge 25 policy. This training should also be documented. 6. At the point of delivery, the Challenge 25 policy should be operated. The only ID that should be accepted is a passport, photo driving licence, PASS accredited proof of age card or military identification card. Alcohol shall not be left in a designated or safe place. 7. The Premises Licence Holder will ensure that a sticker is applied to all consignments of alcohol. It shall read "Note to delivery service, this package contains age restricted products. Ensure recipient is over 18". 		
<ol style="list-style-type: none"> 1. Challenge 25 to be operated and applied to all deliveries of age-restricted products by drivers. Age verification of persons who appear to be under 25 years of age to be undertaken at point of delivery on all occasions. 2. The premises licence holder / designated premises supervisor will adopt the Challenge 25 policy throughout the whole process 	No	Licensing and Out of Hours

<p>of operation, so that at any time, if customers are unable to prove they are 18, then the supply of alcohol will be refused at the point of any ordering procedure or facility.</p> <ol style="list-style-type: none"> 3. Proof of age to be determined by means of either a passport, photographic driving licence, military ID, PASS approved proof of age card or any government approved proof of age only. These checks must be made for every delivery of age-restricted products regardless of previous checks. 4. The premises License Holder is to have a documented policy in relation to how age restricted products are sold on-line and the checks that are to be made. This policy is to be made available to any of the responsible authorities on request. 5. Age verification tick box must be completed, and date of birth must be obtained before any purchase of age-restricted goods on website, mobile app and telephone order forms. 6. Purchasers of age-restricted goods on website, mobile app or telephone orders must be informed when placing an order that age verification will be required upon delivery. For telephone orders this statement must be given verbally and confirmed on telephone order forms. 7. Where 3rd party ordering platforms or delivery services are used (e.g., Just Eat, Uber Eats, Deliveroo etc.), the licence holder must ensure that these services operate a Challenge 25 policy and that this is implemented at the point of purchase and the point of delivery. 8. On request of a responsible authority, the licence holder must provide satisfactory evidence of the age verification policy operated by the 3rd party service (e.g., documented contract or terms and conditions). 9. Delivery will be made only to the address indicated on each respective order and no other. 10. Delivery will be refused to any person who is, or who appears to be under the influence of alcohol or drugs. 11. Where delivery of alcohol by any third-party courier is refused for any of the reasons given above, the premises licence holder / designated premises supervisor will then continue communication with the third-party courier and will ensure that the refusal is logged. 12. Each driver employed directly by the licence holder is to maintain a refusals log which is to be kept up to date with a record of all refusals to deliver age-restricted products in accordance with the Challenge 25 policy by that driver. A copy of these logs is to be collated weekly by the designated premises supervisor and maintained in a file. This file is to be made available immediately upon request of an authorised 		
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<p>officer of Manchester City Council or GMP.</p> <p>13. The designated premises supervisor will maintain a file containing all the relevant material which relates to preventing the sale of age-restricted products to underage persons. The contents of the file will be used in the course of providing training to staff on that subject.</p> <p>14. Training shall be provided to all new employees and delivery drivers employed directly by the licence holder prior to commencement of their employment and/or deliveries. This shall include:</p> <ol style="list-style-type: none"> i. The 'Challenge 25 Policy and its operation. ii. Recognising signs of drunkenness. iii. Refusal of sale or delivery. iv. How to record any refusals. <p>15. The designated premises supervisor is to keep a written record of all training provided and employees and delivery drivers are to sign and date the record to confirm that the training has been received and understood.</p> <p>16. Refresher training is to be provided, at least every three months, to all existing employees and delivery drivers employed directly by the licence holder, on the law relating to underage sales. The designated premises supervisor is to keep a written record of all training provided and employees and delivery drivers are to sign and date the record to confirm that the training has been received and understood.</p> <p>17. Training records are to be made available immediately upon request of an authorised officer of Manchester City Council or GMP.</p> <p>18. The designated premises supervisor is to maintain a file recording details of any allegations of the sale of age-restricted products to underage persons from the premises that have been reported to the business (including notifications from Manchester City Council). Any remedial action undertaken following such a report is also to be recorded in the file. This file is to be made available immediately upon request of an authorized officer.</p> <p>19. General public shall not be admitted to the licensed premises although public have access to the Safestore site in general.</p> <p>20. CCTV shall operate in the main building but not in the licensed unit.</p> <p>21. All exit routes shall be kept clear.</p>		
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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