



Licensing Sub Committee Hearing Panel

Date: Monday, 24 April 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 entrances of the Extension.

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Hilal, Hewitson and Reid

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 - Miss Jacksons Drink Company, Unit 101, 15 Pollard Street East, Manchester, M40 7FT** 5 - 40
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 5. Application for a New Premises Licence - Admas Café, 317 Great Western Street, Manchester, M14 4BZ** 41 - 104
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 6. Application for a Premises Licence Variation - MRH Fallowfield, Fallowfield Service Station, 377-385 Wilmslow Road, Manchester, M14 6AH** 105 - 216
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 7. Temporary Event Notice - Car Wash, 45-753 Ashton Old Road, Manchester, M11 2HB** 217 - 248
The report of the Director of Planning, Building Control and Licensing is enclosed.

Information about the Committee

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

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

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

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

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

Smoking is not allowed in Council buildings.

Joanne Roney OBE
Chief Executive
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Further Information

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

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This agenda was issued on **Friday, 14 April 2023** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 24 April 2023

Subject: Miss Jacksons Drinks Company, Unit 101, 15 Pollard Street East, Manchester, M40 7FT - App ref: Premises Licence (new) 285375

Report of: Director of Planning, Building Control & Licensing

Summary

Application for the grant of a premises licence made under the Licensing Act 2003, which has attracted objections.

Recommendations

That the Panel determine the application.

Wards Affected: Ancoats and Beswick

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Background documents (available for public inspection):

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

1.0 Introduction

- 1.1 On 27/02/2023, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Miss Jacksons Drinks Company, Unit 101, 15 Pollard Street East, Manchester, M40 7FT in the Ancoats and Beswick ward of Manchester.
- 1.2 A location map and photograph of the premises is attached at **Appendix 1**.
- 1.3 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.4 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.5 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2.0 The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Miss Jacksons Drinks Company Ltd.
- 2.3 The description of the premises given by the applicant is -
 Container used to mix bottled cocktails. The premises will not be open to the public, however customers will be able to collect pre-paid orders at an arranged time up to 5 days a week between 9am and 9pm
- 2.4 The proposed designated premises supervisor is Daneche Ballintine
- 2.5 **The licensable activities applied for:**
 The supply of alcohol for consumption off the premises only:
 Monday to Sunday – 24 Hours per day
 Opening hours:
 Premises are not open to the public however customers will be able to pick up pre paid online orders.

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.

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**

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**

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

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**

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

3.0 **Relevant Representations**

3.1 A total of 2 relevant representations were received in respect of the application (**Appendix 3**).

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 objected to the application based on the grounds that the operating schedule which accompanies the application offers very little in terms of enforceable conditions. GMP state that the conditions that have been offered are very vague and generic which gives the impression that the	Refuse

	applicant has a limited understanding of the Licensing Objectives.	
Licensing and Out of Hours Compliance	The LOOH team have concerns that the licensing objectives would be undermined without due diligence practices. The 24/7 nature of the business including alcohol deliveries gives rise to concerns around alcohol falling into the hands of customers who are underage or already intoxicated.	Refuse

Key Policies and Considerations

4.1 Legal Considerations

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

4.2 New Information

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

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

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.

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.

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**

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.

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.

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.

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

Section 6: What we aim to encourage

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

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

Section 7: Local factors

This section sets out key issues that applicants are expected to take into account relevant to the individual characteristics of the premises when

preparing their operating schedule and address any local factors relevant to their premises.

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

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- Consistency with relevant Council strategies
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance

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

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

The standards are not exhaustive and the licensing authority will have regard to any relevant issues raised in any representation that may fall outside them.

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

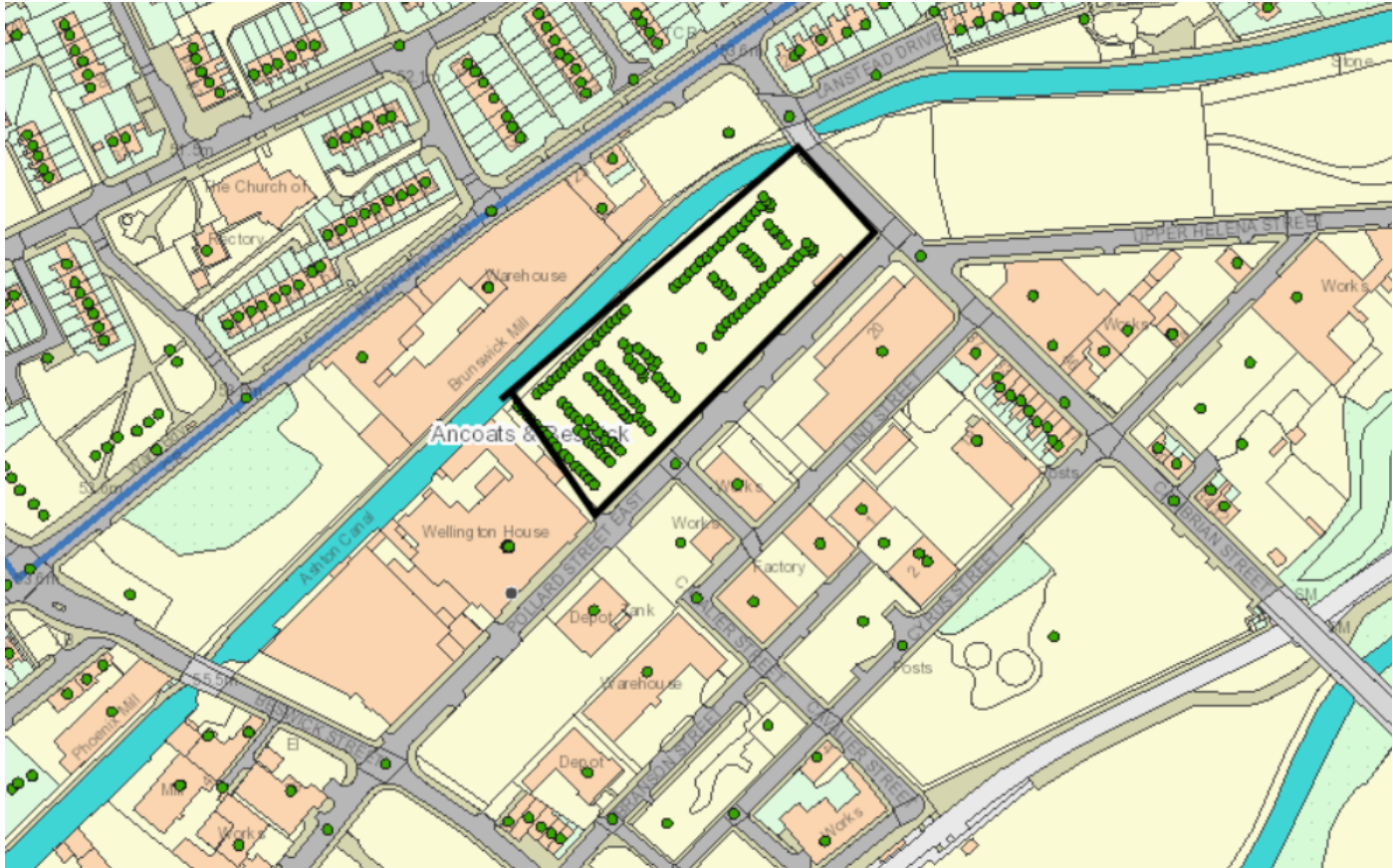
Section 9: Alcohol delivery services

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

Conclusion

- 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.**



PREMISE NAME:	Miss Jacksons Drinks Company
PREMISE ADDRESS:	Unit 101, 15 Pollard Street East, Manchester, M40 7FT
WARD:	Ancoats and Beswick
HEARING DATE:	24/04/2023

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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 MISS JACKSON'S DRINKS COMPANY 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 101 15 POLLARD STREET EAST MANCHESTER M40 7SL			
Post town	MANCHESTER	Postcode	M40 7SL
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 1575	

Part 2 - Applicant details

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

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

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name	MISS JACKSON'S DRINKS COMPANY LTD
Address	132 - 134 GREAT ANCOATS STREET MANCHESTER GREATER MANCHESTER M4 6DE
Registered number (where applicable)	13388415
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
0	1	032023

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)

POLLARD YARD IS A CONTAINER WORKPLACE IN ANCOATS MAE MANCHESTER. WE WILL BE USING THE SPACE TO MIX OUR BOTTLED COCKTAILS IN A PRIVATE CONTAINER. THE SPACE WILL BE SHARED WITH ONE OTHER BUSINESS (A BAKERY). NO ALCOHOL WILL BE ACCESSIBLE FOR ANYONE UNDER 18 IN THE SPACE

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	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 performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

B

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

E

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

F

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

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Wed					
Thur					
			<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)		
Fri					
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	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			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 (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Both	<input type="checkbox"/>				
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Tue					
			<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)		
Wed					
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	23:59			
Tue	00:00	23:59			
Wed	00:00	23:59			
Thur	00:00	23:59			
Fri	00:00	23:59			
Sat	00:00	23:59			
Sun	00:00	23:59	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
			WE INTEND TO USE THE PREMISES TO FULFILL ONLINE SALES. THESE TIMES WILL VARY EACH WEEK BUT THE WE ALSO INTEND TO ALLOW CUSTOMERS TO PICK UP ORDERS (PRE-PAID ONLINE) IF THEYRE LOCAL. THIS WILL BE BETWEEN 9AM AND 9PM UP TO FIVE TIMES PER WEEK.		

UNIT IS OPEN 24/7.

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	DANECHÉ BALUNTINE
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	213496
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).

CHILDREN WILL NOT BE ALLOWED INTO THE UNIT WITH THE ALCOHOL. WHERE CUSTOMERS APPEAR TO BE UNDER THE AGE OF 25, WE WILL OPERATE A 'CHALLENGE 25' POLICY

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	12.00	11.00	<p><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)</p> <p>THE PREMISES WILL NOT BE 'OPEN TO THE PUBLIC' ONLY IN LIMITED CIRCUMSTANCES WILL CUSTOMERS BE ABLE TO 'PICK UP' PRE-PAID ONLINE ORDERS. THIS WILL BE ARRANGED WITH A RESTRICTED PICK-UP WINDOW.</p> <p>THE PUBLIC WILL NOT BE ABLE TO ACCESS OUR PRIVATE UNIT DURING THE TIMES SPECIFIED</p>
Tue	12.00	11.00	
Wed	12.00	11.00	
Thur	12.00	11.00	
Fri	12.00	11.00	
Sat	12.00	11.00	
Sun	12.00	11.00	

M

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

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

ALL DIRECTORS + THOSE WHO REPRESENT THE BUSINESS OPERATE A CHALLENGE 21 POLICY.
STAFF TRAINED ON THE EFFECTS OF ~~ALC~~ ALCOHOL
CCTV IS IN OPERATION ON SITE

b) The prevention of crime and disorder

NO ON-SITE DRINKING
ENSURE WE PROMOTE DRINKING IN MODERATION.
STAFF TRAINED ON EFFECTS OF ALCOHOL.
CCTV ~~A~~ IS IN OPERATION ON SITE.
SECURITY OPERATE ON SITE

c) Public safety

ENSURE A CHALLENGE 21 POLICY IS IN OPERA-
TION
RESTRICTED + SPECIFIC PICK UP TIMES.
STAFF TRAINED ON THE EFFECTS OF ALCOHOL
CCTV IS IN OPERATION ON SITE.
FIRST AID IS AVAILABLE

d) The prevention of public nuisance

RESTRICTED + SPECIFIC PICK UP TIMES.
CCTV IN OPERATION.
MIXING DRINKS WILL NOT CREATE A NOISE
DISTURBANCE.
CUSTOMERS WILL COLLECT ORDERS BEFORE
9PM TO MINIMISE NOISE DISRUPTION.

e) The protection of children from harm

OPERATE A 'CHALLENGE 21' POLICY
CHILDREN ARE NOT PERMITTED IN THE
UNIT.
STAFF TRAINED ON THE EFFECTS OF ALCOHOL

	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	[REDACTED]
Date	07/02/23
Capacity	DIRECTOR - MISS JACKSON'S DRINKS COMPANY LTD

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	[REDACTED]
Date	07/02/23
Capacity	DIRECTOR - MISS JACKSON'S DRINKS COMPANY LTD

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	[REDACTED]
If you would like to be contacted	[REDACTED]

Checklist:

Please tick to indicate agreement

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or
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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 285375
Name of the Premises	Miss Jacksons Drinks Company
Address of the premises including postcode	Unit 101, 15 Pollard Street East, Manchester M40 7FT

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	Gemma Hunt
Job Title	Licensing & Out of Hours Compliance Officer
Department	Licensing & Out of Hours Compliance Team
Address	[REDACTED]
Email Address	[REDACTED]
Telephone Number	[REDACTED]

Premise Details

Application Ref No	M285375
Name of Premises	Miss Jacksons Drinks Company
Address	Unit 101, 15 Pollard Street East, Manchester, M40 7FT

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 & Out of Hours (LOOH) Team have assessed the application taking into account the nature of the operation, the location, and any effect the granting of the licence could have on the four licensing objectives.

The operating schedule provided offers some basic measures to uphold the licensing objectives, however they are not written in a format which makes them clear, precise & enforceable.

The LOOH team have concerns that the licensing objectives would be undermined without due diligence practices. The 24/7 nature of the business including alcohol deliveries gives rise to concerns around alcohol falling into the hands of customers who are underage or already intoxicated.

The LOOH team have met with the proposed licence holder and have discussed a number of measures which could mitigate these concerns.

The LOOH team therefore object to the application in its current format but are however open to agreeing conditions.

Recommendation: Refuse Application

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. All directors and those who represent the business shall operate a challenge 21 policy. 2. Staff shall be trained on the effects of alcohol 3. CCTV shall be in operation on site 4. No on-site drinking shall be permitted 5. Licence holder shall promote drinking in moderation. 6. Security shall operate on site 7. There shall be restricted and specific pick up times. 8. First aid shall be available 9. Customers will collect orders before 9pm to minimise noise disruption. 10. children shall not permitted in the unit . 	N/A	Applicant

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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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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 24 April 2023

Subject: Admas Cafe, 317 Great Western Street, Manchester, M14 4BZ - App ref: Premises Licence (new) 285938

Report of: Director of Planning, Building Control & Licensing

Summary

Application for the grant of a premises licence made under the Licensing Act 2003, which has attracted objections.

Recommendations

That the Panel determine the application.

Wards Affected: Moss Side

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

Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 28/02/2023, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Admas Cafe, 317 Great Western Street, Manchester, M14 4BZ in the Moss Side 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 BFBE Ltd.
- 2.3 The description of the premises given by the applicant is 'The premises is an existing café and restaurant specialising in East African food. The premises is a central hub for the East African community. The premises is a ground floor premises located in a mixed parade of shops and cafes accessed from the front with a series of seated areas with tables for service of food and drink. Televisions are available for viewing from time to time. Orders are placed at a central serving area and food is cooked in the rear kitchen. Toilets are located towards the back of the premises.'
- 2.4 The proposed designated premises supervisor is Bereket Amanuel Tesfayesus.
- 2.5 **The licensable activities applied for:**

The supply of alcohol for consumption on the premises only:

Mon to Sun 11am to 10pm

Opening hours:

Mon to Sun 11am to 10.30pm

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

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team

- 3.2 Summary of the representation:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	<p>This area is subject to high levels of social, criminal and anti-social behaviour problems and the premises itself has been the subject of complaints from the local community.</p> <p>In September 2022, LOOH and GMP attended the premises and witnessed a number of males sat at tables smoking shisha which is a breach of the Health Act 2006. Upon entering the premises a number of males were also seen to put their bottles of alcohol underneath the tables in an attempt to hide them from view, a response which suggests that they had been</p>	Refuse

	<p>told to do this by the owner of the premises in the event that there was ever a visit from the authorities. On further inspection, a storeroom was located where a number of boxes of alcohol were being stored and a number of spirit bottles had also been hidden behind the doors of a cupboard housing the electricity metre. As customers slowly began to leave the premises, further bottles of alcohol were discovered hidden underneath tables where these customers had been sat. There is concern that this blasé attitude towards rules and regulations would continue if the premises was to be granted a licence.</p> <p>There is also concern that the customers will continue to congregate around the premises and are likely to cause anti-social behaviour and noise within the surrounding residential properties, particularly when leaving the premises.</p> <p>There has not been any acknowledgement in the application that there are any local areas of concern with regards to public nuisance that would require careful management by the applicant.</p>	
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4. **Key Policies and Considerations**

4.1 **Legal Considerations**

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

4.2 **New Information**

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

4.3 **Hearsay Evidence**

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

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

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

4.5 **Manchester Statement of Licensing Policy**

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

Section 6: What we aim to encourage

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

- Premises that will extend the diversity of entertainment and attract a wider range of participants
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
- National cultural institutions, global sports events and cultural festivals
- Non-drink-led premises, including restaurants, cafes, theatres and cinemas

- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application
- Participation in Pubwatches, off licence forums and other crime-reduction partnerships
- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

Section 7: Local factors

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

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

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- Consistency with relevant Council strategies
- 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
- MS8 Prevent noise nuisance from the premises
- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS12 Prevent underage sales of alcohol, including proxy sales

Section 9: Alcohol delivery services

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

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

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

5. Conclusion

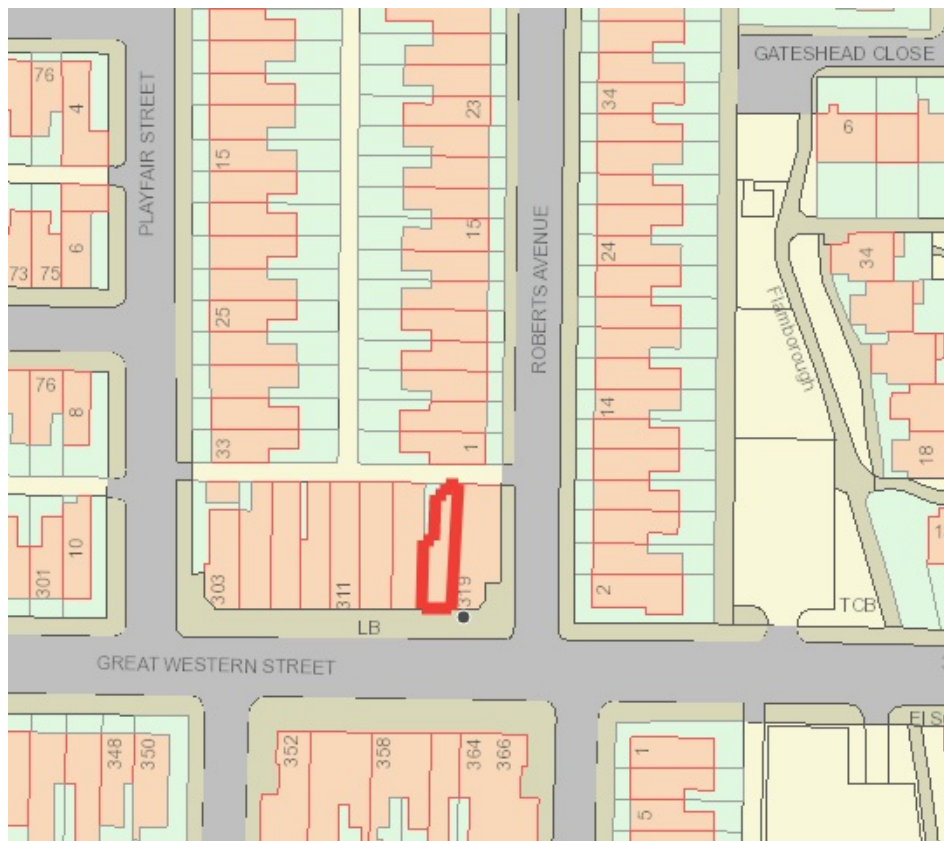
- 5.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 5.2 In considering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

5.8 **The Panel is asked to determine the application.**

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Admas Cafe
 317 Great Western Street, Manchester, M14 4BZ
 Premises Licensing
 Manchester City Council

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PREMISE NAME: Admas Cafe

PREMISE ADDRESS: 317 Great Western Street, Manchester, M14 4BZ

WARD: Moss Side

HEARING DATE: 24/04/2023

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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 **BFBE 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			
Admas Cafe 317 Great Western Street			
Post town	Manchester	Postcode	M14 4BZ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£5,700

Part 2 - Applicant details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *

- i as a limited company/limited liability partnership please complete section (B)
- ii as a partnership (other than limited liability) please complete section (B)
- iii as an unincorporated association or please complete section (B)
- iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input 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 or over		I am 18 years old		<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 or over		I am 18 years old		<input type="checkbox"/>	Please tick yes
Nationality					
Current postal 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 BFBE Ltd
Address 317 Great Western Street Masa Market Manchester England M14 4BZ
Registered number (where applicable) 13893240

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0 1	0 4	2 0 2 3

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

DD	MM	YYYY

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

The premises is an existing café and restaurant specialising in East African Food. The premises is a central hub for the East African community.

The premises is a ground floor premises located in a mixed parade of shops and cafes accessed from the front with a series of seated areas with tables for service of food and drink. Televisions are available for viewing from time to time.

Orders are placed at a central serving area and food is cooked in the rear kitchen. Toilets are located towards the back of the premises.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- | | |
|--|--------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |

- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

A

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

B

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

F

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

G

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

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"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for <u>consumption – please tick</u> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finis h	State any seasonal variations for the supply of alcohol (please read guidance note 5)					
Mon	11:00	22:00						
Tue	11:00	22:00						
Wed	11:00	22:00						
Thur	11:00	22:00				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	11:00	22:00						
Sat	11:00	22:00						
Sun	11:00	22:00						

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 [REDACTED]	
[REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

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	11:00	22:30	
Tue	11:00	22:30	
Wed	11:00	22:30	
Thur	11:00	22:30	
Fri	11:00	22:30	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)
Sat	11:00	22:30	
Sun	11:00	22:30	

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

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

- All staff authorised to sell alcohol at the Premises shall receive appropriate training on licensing law. Records of training must be made available for inspection and copying within a reasonable time of a request by an officer of a Responsible Authority.

b) The prevention of crime and disorder

- The premises shall operate a CCTV system that complies with the minimum requirements of the GMP Police Licensing Team from time to time.
- There must be at least one member of trained staff at the premises during operating hours able to provide viewable copies of CCTV on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).
- The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.
- A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within a reasonable time of a request by an officer of a Responsible Authority.

c) Public safety

- Fire alarm, fire fighting equipment and emergency lighting systems shall be maintained at the property which comply with the latest national standards as set from time to time.

d) The prevention of public nuisance

- Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.
- There shall be a 30 minute period prior to closing time where alcohol sales cease to allow for drinking up time.
- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
- No deliveries shall take place at the premises between 10 pm and 7 am to avoid un-necessary disturbances of adjoining properties.

e) The protection of children from harm

- No unsupervised person under 16 years of age is permitted to enter or remain on the licensed premises when alcohol is being sold or supplied.
- A Challenge 25 Policy shall be enforced at the premises.

Checklist:

Please tick to indicate agreement

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

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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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**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

Name	Andrea Brooks
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	Andrea.brooks@manchester.gov.uk
Telephone Number	0161 219 2627

Premise Details

Application Ref No	M/285938
Name of Premises	Admas Cafe
Address	317 Great Western Street, Manchester, M14 4BZ

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 have assessed the likely impact on granting this application, looking at several factors which includes current problems in the area, such as waste, criminal activity, street drinking and the locality to neighbouring residential properties, with any potential risk that the granting of the application could lead to public nuisance.

This applicant has requested a new licence to serve alcohol from the hours of 11.00am to 22.00pm to be consumed on the premises seven days a week, and to be open to the public from the hours of 11.00am to 22.30pm seven days a week.

The premises is located at 317 Great Western Street, in the Moss Side area of Manchester. Whilst the premises itself is on the main road, the area surrounding the premises is highly residential with the café itself being close to the junction of Roberts Avenue. This area is subject to high levels of social, criminal and anti-social behaviour problems and the premises itself has been the subject of complaints from the local community. The applicant previously applied for a licence at this premises in March 2022. LOOH submitted a representation recommending that the previous application be refused. During the previous application process, 11 residents in the immediate area also submitted representations against the March 2022 application which highlights the strong feelings felt against allowing this premises to sell alcohol and exasperate the existing issues already linked to this premises.

The previous licence application in March 2002 was subsequently withdrawn by the applicant. Shortly after this withdrawal, in July 2022, the LOOH team received a complaint that the premises were selling alcohol and opening late despite being an unlicensed premises. The complaint went

on to state that 'around thirty to forty people would hang around the café area, and often open until the early hours of the morning.' citing one example of the café still being open at 03:30 on a Wednesday morning.

As a result of these complaints, in September 2022, LOOH and GMP attended the premises and witnessed a number of males sat at tables smoking shisha. The smoking of shisha pipes in an enclosed space is a breach of the Health Act 2006 and therefore the premises was found to be committing an offence by allowing this. Upon entering the premises, a number of males were also seen to put their bottles of alcohol underneath the tables in an attempt to hide them from view. Such a response by customers suggests to me that the males had been told to do this by the owner of the premises in the event that there was ever a visit from the authorities. On further inspection of the premises, a storeroom was located where a number of boxes of alcohol were being stored and a number of spirit bottles had been hidden behind the doors of a cupboard housing the electricity metre. Due to the overwhelming evidence of licenced activity taking place, the owner, and the current licence applicant, Mr Bereket Amanuel Tesfayesus, was cautioned by GMP and was asked to close the premises. As customers slowly began to leave the premises, further bottles of alcohol were discovered hidden underneath tables where these customers had been sat.

There is concern that this blasé attitude towards rules and regulations would continue if the premises was to be granted a licence. We strongly suspect the premises would continue to operate past the licensing hours they have requested as has already been witnessed. There is also concern that the customers will continue to congregate around the premises and are likely to cause anti-social behaviour and noise within the surrounding residential properties, particularly when leaving the premises.

There has not been any acknowledgement in the application that there are any local areas of concern with regards to public nuisance that would require careful management by the applicant. For example, the management of proxy sales, additional litter and noise and anti-social behaviour. Also, there is potential for increased public nuisance from alcohol related crime and disorder.

Manchester's Statement of Licensing Policy at section 7.12 states that consideration must be given to the general character of the surrounding area, including crime and disorder and anti-social behaviour levels, litter problems, proxy sales and noise complaints.

Considering the previous offences witnessed at this premises, and the lack of any reassurances from the applicant that the issues outlined in the Statement of Licensing policy have been acknowledged, LOOH recommend that this application is refused.

Google Image showing proximity to residential properties. (Scaffolding outside Admas Café location)



Recommendation: Refusal

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. All staff authorised to sell alcohol at the Premises shall receive appropriate training on licensing law. Records of training must be made available for inspection and copying within a reasonable time of a request by an officer of a Responsible Authority. 2. The premises shall operate a CCTV system that complies with the minimum requirements of the GMP Police Licensing Team from time to time. 3. There must be at least one member of trained staff at the premises during operating hours able to provide viewable copies of CCTV on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation). 4. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority. 5. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within a reasonable time of a request by an officer of a Responsible Authority. 6. Fire alarm, fire fighting equipment and emergency lighting systems shall be maintained at the property which comply with the latest national standards as set from time to time. 7. Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly. 8. There shall be a 30 minute period prior to closing time where alcohol sales cease to allow for drinking up time. 9. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance. 	N/A	Applicant

Schedule of Licence Conditions

<p>10.No deliveries shall take place at the premises between 10 pm and 7 am to avoid un-necessary disturbances of adjoining properties.</p> <p>11.No unsupervised person under 16 years of age is permitted to enter or remain on the licensed premises when alcohol is being sold or supplied.</p> <p>12.A Challenge 25 Policy shall be enforced at the premises.</p>		
Conditions proposed by objectors	Agreed	Proposed by
Not applicable		

**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 24 April 2023

Subject: MRH Fallowfield, Fallowfield Service Station, 377-385 Wilmslow Road, Manchester, M14 6AH - App ref: Premises Licence variation 285721

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendations

That the Committee determine the application.

Wards Affected: Withington

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

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

Equal Opportunities Policy
 Risk Management
 Legal Considerations

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

Background documents (available for public inspection):

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

1. **Introduction**

- 1.1 On 20/02/2023, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of MRH Fallowfield, Fallowfield Service Station, 377-385 Wilmslow Road, Manchester, M14 6AH in the Withington ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. **Current Licence**

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

3. **The Application**

- 3.1 A copy of the application is attached at **Appendix 3**.

- 3.2 The variation is to:

To allow the sale of alcohol between the hours of 0800 and 2200 daily for consumption off the premises

To remove the conditions listed under Annex 2

To include in Annex 2 the conditions listed in the operating schedule attached to this application

- 3.2.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 3.2.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 3**.

3.3 Activities unsuitable for children

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

3.4 Steps to promote the licensing objectives

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

3.4.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 5**.

4. Relevant Representations

4.1 A total of 12 relevant representations were received in respect of the application (**Appendix 4**). The personal details of all members of the public have been redacted. Original copies of these representation will be available to the Committee at the hearing.

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;
- Licensing Authority

Other Persons:

- Gavin Evans (Neighbourhoods Team);
- Withington Ward Councillors;
- South East Fallowfield Residents Group;
- Fallowfield Community Guardians;
- Withington Civic Society;

- Residents x5.

4.2 Summary of the representations:

Party	Grounds of representation	Recommends
Licensing Authority	Local residents complain of alcohol-related antisocial noise and other behaviour and significant council resources are dedicated to managing local issues. Residents, councillors and partner agencies are working hard work together to create a safe and harmonious community and there are concerns about the impact of	Refuse

	<p>licensed premises, and particularly the impact of alcohol, locally.</p> <p>Whilst several steps to promote the objectives have been proposed in the application, it is not clear what assessment of risks the applicant has undertaken in identifying what are the appropriate steps to promote the licensing objectives in this location. The application and its operating schedule provide no detail on how alcohol is to be sold or to what degree. The steps put forward and the training do not take into account the need to prevent sales to persons who are already intoxicated, and do not address any potential impact on local antisocial behaviour, such as street drinking.</p> <p>In addition, Paragraph 5.22 of the s182 Guidance to the Licensing Act 2003 states:</p> <p><i>5.22 Section 176 of the 2003 Act prohibits the sale or supply of alcohol at motorway service areas (MSAs) and from premises which are used primarily as a garage or are part of premises used primarily as a garage. Premises are used primarily as a garage if they are used for one or more of the following:</i></p> <ul style="list-style-type: none"> <i>• the retailing of petrol;</i> <i>• the retailing of derv (diesel);</i> <i>• the sale of motor vehicles; and</i> <i>• the maintenance of motor vehicles.</i> <p>It would appear that this premises, with the applicant Motor Fuel Ltd, is used primarily as a garage.</p>	
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<p>Licensing and Out of Hours Compliance</p>	<p>We are concerned this variation will undermine the public nuisance licensing objective by leading to an increase in antisocial behaviour in the area. It is likely to increase footfall in this area and lead to a rise in noise nuisance to local residents from groups congregating and migrating to and from the premises purchasing alcohol to “preload”.</p> <p>The application does not identify or show understanding of any of the local factors or specific risks associated with this location or negate the risk posed to the local area by the applicant’s proposed licensable activities. They do not acknowledge the PSPO in force in this area or detail how they will support it.</p> <p>These concerns are further compounded by the applicant’s failure to identify who exactly the DPS will be. We have concerns that if an area manager is appointed then they will not be in day to day control of the premises, unable to ensure the measures needed to uphold the licensing objectives are in place and unable to immediately identify or manage any issues.</p> <p>While the CIP is currently under review, the issues that brought it in to existence for this area, in our experience, still exist and should be considered.</p>	<p>Refuse (but condition put forward in the event that the variation is granted)</p>
<p>Neighbourhoods Team</p>	<p>Selling alcohol in this particular location would likely increase issues and complaints to do with noise, litter, drugs and antisocial behaviour.</p>	<p>Refuse</p>
<p>Withington Ward Councillors</p>	<p>Granting this licence variation to enable the sale of alcohol, would</p>	<p>Refuse</p>

	fail on the grounds of prevention of crime and disorder, public safety, and the prevention of public nuisance. The sale of alcohol would not be beneficial to the wider community.	
South East Fallowfield Residents Group	The premises is a well-known flashpoint for crime and antisocial behaviour in Fallowfield. The grant of this variation could lead to local residents, many of whom are transient, consuming more alcohol which could in turn exacerbate existing antisocial behaviour issues, including excessive noise, public urination/defecation, aggressive begging, littering.	Refuse
Fallowfield Community Guardians	<p>The high levels of anti-social behaviour in this area led to the implementation of a Special Cumulative Impact Policy for Fallowfield, which was adopted in January 2013. Although the CIP has lapsed due to Covid and a new policy is in a consultation process, we consider the issues to be as problematic as they have been for years and that the principles of the CIP should be observed where new off licences are to be considered.</p> <p>There has been a recent rise in anti-social behaviour and crime related to drug delivery and use and alcohol consumption. This has increased significantly since many homeless people have been placed in temporary accommodation at the three nearby hotels. The addition of alcohol at such a local point to these hotels would aggravate these issues.</p> <p>Granting the variation would also worsen issues to do with littering</p>	Refuse

	(including broken glass), noise and nuisance from those purchasing alcohol and drinking it on the streets.	
Withington Civic Society	The sale of alcohol in a petrol station is alarming. It is likely to give rise to groups congregating just outside having purchased alcohol in order to pre load on the way to other venues. The likelihood of violent alcohol related crime in the area will increase.	Refuse
Residents (x5)	<p>The garage is near temporary accommodation for homeless people. Granting this alcohol licence is not supportive of their needs within our community.</p> <p>Any increased access to the sale of alcohol in our community would be very unhelpful because we are already blighted by alcohol related antisocial behaviour and crime.</p> <p>The area already has an excessive number of off licences.</p>	Refuse

4.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 5**.

5. **Key Policies and Considerations**

5.1 **Legal Considerations**

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

5.2 **New Information**

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

5.3 **Hearsay Evidence**

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

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

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

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

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

5.5 **Manchester Statement of Licensing Policy**

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

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

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

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

Section 5: Special Policy Area

The premises is located within the following special policy area:

Fallowfield and Wilmslow Road

The effect of the Special Policy is that the Council will refuse applications for a new Premises Licence or Club Premises Certificate, or variation of an existing licence or certificate, whenever it receives relevant representation, unless an applicant can demonstrate why the operation of the premises involved will not

add to the cumulative impact already being experienced. In relation to variations, this includes any variation that seeks to add a licensable activity, increase the capacity/size of a licensed premises, or extend the hours for licensable activities, but will usually exclude minor variations.

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
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS12 Prevent underage sales of alcohol, including proxy sales

Section 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

6. Conclusion

- 6.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 6.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 6.3 The Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate;
 - b) To reject the whole or part of the application
- 6.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 6.5 However, conditions should not be imposed on a licence which are unrelated to the variation sought.
- 6.6 All licensing determinations should be considered on the individual merits of the application.
- 6.7 The Panel’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to

what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.

6.8 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.

6.9 **The Panel is asked to determine the application.**

MRH Fallowfield
 Fallowfield Service
 Station, 377-385
 Wilmslow Road,
 Manchester, M14
 6AH
 Premises Licensing
 Manchester City
 Council

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 Survey100019568.



PREMISE NAME:	MRH Fallowfield
PREMISE ADDRESS:	Fallowfield Service Station, 377-385 Wilmslow Road, Manchester, M14 6AH
WARD:	Withington
HEARING DATE:	24/04/2023

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MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	207910
Granted	27/03/2018
Latest version	Transfer 230108 granted 17/04/2019

Part 1 - Premises details

Name and address of premises
MRH Fallowfield Fallowfield Service Station, 377-385 Wilmslow Road, Manchester, M14 6AH
Telephone number
0161 256 1040

Licensable activities authorised by the licence
1. The provision of late night refreshment.

The times the licence authorises the carrying out of licensable activities

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0500	0500	0500	0500	0500	0500	0500
Licensed to take place both indoors and outdoors.							
Seasonal variations and Non standard Timings:							
None							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0000	0000	0000	0000	0000	0000	0000
Finish	2400	2400	2400	2400	2400	2400	2400
Seasonal variations and Non standard Timings:							
None							

Part 2

Details of premises licence holder	
Name:	Motor Fuel Limited
Address:	Gladstone Place, 36-38 Upper Marlborough Road, St Albans, AL1 3UU
Registered number:	05206547

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol
Not applicable

Annex 1 – Mandatory conditions

Door Supervisors

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

Annex 2 – Conditions consistent with the operating schedule

1. A digital CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
2. The CCTV system shall be capable of producing immediate copies on site. Copies of recordings will either be recorded digitally on to CD/DVD or other equivalent medium.
3. Any recording will be retained and stored in a suitable and secure manner for a minimum 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
4. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
5. The system will display, on any recording, the correct time and date of the recording.
6. The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
7. The premises licence holder will at all times maintain adequate levels of staff. Such staff levels will be disclosed, on request, to the licensing authority and police.
8. A notice will be displayed at the point of sale requesting customers to dispose of any use hot drink cups considerately.

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

1. The late night refreshment licensable activity will be for the provision of hot drinks only.
2. Staff shall regularly check the forecourt area of the premises and will keep it clean and tidy.

Annex 4 – Plans

See attached

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

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**MANCHESTER
CITY COUNCIL**

Send completed application form to:

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

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Motor Fuel Limited

(Insert name(s) of applicant)

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

Premises licence number 207910

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
--

Fallowfield Service Station,377-385 Wilmslow Road

Post town	Manchester	Postcode	M14 6AH
-----------	------------	----------	---------

Telephone number at premises (if any)	
---------------------------------------	--

Non-domestic rateable value of premises	£ 49,250
---	----------

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address		Gladstone Place, 36- 38 Upper Marlborough Road	
Post town	St Albans	Postcode	AL1 3UU

Part 3 - Variation

Please tick as appropriate

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

 Yes No

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

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

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

The premises is a petrol forecourt store located on Wilmslow Road, Manchester.

The variation is to do the following:

1. To allow the sale of alcohol to between the hours of 0800 and 2200 daily for consumption off the premises.
2. To remove the conditions listed under Annex 2.
3. To include in Annex 2 the conditions in boxes b to e of Section M of the application.

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

Part 4 Operating Schedule

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

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

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

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

Sale by retail 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 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Wed			<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 5)		
Thur					
Fri					
Sat					
Sun					

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

E

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

F

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

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)	
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
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 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
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 4)		
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 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)	
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	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 4)		
Mon	0800	2200			
Tue	0800	2200			
Wed	0800	2200			
Thur	0800	2200			
Fri	0800	2200			
Sat	0800	2200			
Sun	0800	2200			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).</p> <p>N/A</p>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4) The opening hours of the store are not a licensable activity and the applicant asks that the hours not be restricted by the premises licence.
Day	Start	Finish	
Mon	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 5)
Tue	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	

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

Conditions listed under Annex 2.

Please tick as appropriate

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

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

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

M

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

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

The applicant is aware that the premises fall within a cumulative impact area.

The applicant believes that, due to the steps that it takes to promote the licensing objectives, the grant of the variation will not add to the cumulative impact referred to in the licensing policy.

b) The prevention of crime and disorder

As per the attached operating schedule.

c) Public safety

As per the attached operating schedule.

d) The prevention of public nuisance

As per the attached operating schedule.

e) The protection of children from harm

As per the attached operating schedule.

Checklist:


Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 10)

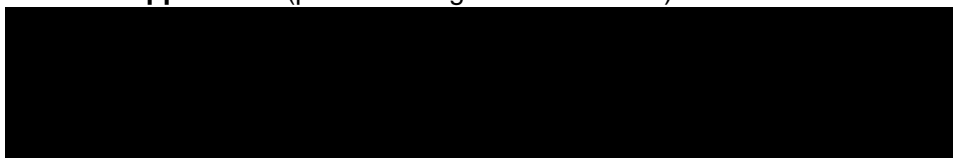
Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

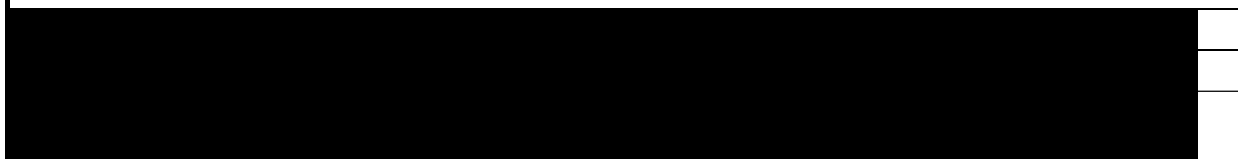
Signature	
Date	20/03/2023
Capacity	Agent

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

Signature	
Date	
Capacity	

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


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Notes for Guidance

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

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

Operating Schedule 10.02.2023

Fallowfield Service Station

Sale of Alcohol

0800-2200 Daily

Late night refreshment (as existing licence)

2300 to 0500

Conditions

1. A digital CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose and to be to the reasonable satisfaction of the police.
 2. The CCTV system shall be capable of producing immediate copies on site. Copies of recordings will either be recorded digitally on to CD/DVD or other equivalent medium. Images shall be provided to the police or to an authorised officer of the licensing authority within 24 hours of request.
 3. Any recording will be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
 4. The precise positions of the camera may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
 5. The system will display, on any recording, the correct time and date of the recording.
 6. The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
 7. There will at all times be adequate levels of staff maintained at the premises. Such staff levels will be disclosed, on request, to the licensing authority and police.
 8. Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.
 9. The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form or method of identification that complies with any mandatory condition that may apply to this licence.
 10. Signage informing customers of the age verification policy adopted at the premises will be prominently displayed.
 11. A written delegation of authority record will be kept at the premises whereby non personal licence holders are authorised to make sales on behalf of a personal licence holder.
 12. All staff engaged or to be engaged in the sale of alcohol on the premises shall receive training in age restricted sales.
- Induction training must be completed and documented prior to the sale of alcohol by the staff member.

- Refresher/reinforcement training must be completed and documented at intervals of no more than 6 months.

Training records will be available for inspection by a police officer or other authorised officer on request.

13. All cashiers shall be trained to record refusals of sales of alcohol in a refusals book/register. The book/register will contain:

- details of the time and date the refusal was made;
- the identity of the staff member refusing the sale;
- details of the alcohol the person attempted to purchase.

This book/register shall be available for inspection by a police officer or other authorised officer on request.

The book/register shall be retained at the premises or at the officers of the licence holder for a minimum period of 12 months.

14. An incident book/register shall be maintained to record:

- all incidents of crime and disorder occurring at the premises
- details of occasions when the police are called to the premises

This book/register shall be available for inspection by a police officer or other authorised officer on request.

The book/register shall be retained at the premises or at the officers of the licence holder for a minimum period of 12 months.

15. All sales tills shall prompt the cashier making a sale of alcohol to verify that the customer is aged 18 or over.

16. There shall be no self-service of spirits except for spirit mixtures.

17. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

18. There shall be no sale of single cans of beer, lager or cider from the premises

20. There will be no sales/supplies of beer, lager or cider with an ABV over 6%.

21. Outside of permitted hours for the sale of alcohol, all alcohol within the trading area (this does not include the display units behind the counter) is to be kept behind shutters / screens / grills.

22. The entrance door to the shop will be closed to customers between the hours of 0000 and 0600. Any sales between these hours will be made through the night pay window.

23. There will be no alcohol displayed within 3 metres of the store entrance.

24. The late night refreshment licensable activity will be for the provision of hot drinks only.

25. A notice will be displayed at any point of sale requesting customers to dispose of any used hot drink cups considerately.

26. Staff shall regularly check the forecourt area of the premises and will keep it clean and tidy.

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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Representation from South East Fallowfield Residents Group

From: [REDACTED]

Sent: 20 March 2023 23:10

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

Subject: Premises Licence Variation 285721/CT4:MRH Fallowfield, Fallowfield Service Station, 377-385 Wilmslow Road, M14 6AH

Dear Sir/Madam,

I am writing on behalf of South East Fallowfield Residents' Group to object in the strongest terms to this alcohol licence.

This garage is a well known flashpoint for crime and antisocial behaviour in Fallowfield and police and council records can be checked to verify this. Many local residents now feel it is 'a no go' because it feels so unsafe; we often witness groups of people who are under the influence of drink and/drugs and sometimes there is aggressive begging on the forecourt - these are just everyday incidents but, aside from that, recent incidents that we know of also include someone being held at knife point by a large group just outside the garage (WhatsApp message posted on 12th January) and a local doctor told us about several incidents of sexual harassment that she had been made aware of - 'It's really bad' - this is a direct quote from her.

The garage is on the furthest edge of the shops on Wilmslow Road, Fallowfield (on the southern side) and the streets immediately surrounding it are very densely occupied by HMO accommodation mostly by transient residents including; students, supported living residents and short stay airbnb guests (often large groups celebrating birthdays, hen and stag 'dos').

If these premises are given a new alcohol licence we think the **most likely** customers will fall into the following categories;

1) Students/airbnb guests who want to nip out to top up their supplies - perhaps during parties, weekly sports gatherings, summer barbecues, end of exams celebrations etc - i.e. when caution starts 'going to the wind'. The garage (like most garages) does not stock a wide variety of competitively priced goods so this will not form part of a general shop but more of an 'add on' or impulse buy when people are already a bit drunk. Sadly it is that extra consumption which is often the tipping point for a wide range of anti social behaviour, including excessive noise, public urination/defecation and littering. As I think we all know, the person who shouts their head off, urinates in your front garden or against your house and drops litter when they're drunk is often a completely different person when sober. If you are in any doubt about the frequency of this behaviour, please check the numbers of reports to MCC and the resources poured into our area to try to deal with this.

The Office of National Statistics sites the fact that '16-24 year olds are less likely to have drunk alcohol in the past week (than many other groups), but when they do drink, they are more likely to drink at high levels' and I think it is this binge drinking that leads to extreme lack of inhibition resulting in very poor behaviour and, very worryingly, also makes people more vulnerable to predators. A few months ago a man rang our doorbell at about 1.30am because he found a young female student lying face down on the pavement. He asked her where she lived and she mistakenly thought it was our house, so he carried her to our door, she was barely intelligible but we gleaned that she was on her way back from a house party and had got lost. There is a false perception by many students that they live in a student village/campus and are therefore safe but this is far from the case and residents in our group have experienced violent incidents at all hours of the day and night.

Giving an alcohol licence to a known trouble hotspot would definitely not promote the licensing objectives.

2) People who are living in the nearby temporary supported living accommodation.

Within a few metres of the garage there are 2 large hostels which have accommodated single, homeless people since the start of the pandemic. Many people in this very unfortunate situation have a long history of drink and drug abuse, including mental health issues. Aside from these hostels there are at least 7 other large homes within a minute's walk which also house people with a variety of vulnerabilities, including ex alcoholics, people with

learning difficulties, adolescents with emotional and behavioural issues, ex offenders etc. I spoke to a team leader on MCC's homeless team whose office is now actually based at one of the hostels and she told me that all the occupants have to sign a contract to say that they won't bring drink or drugs onto the premises and they are told that there are potentially very heavy consequences if they do. I think this is possibly a standard clause in this type of accommodation and whilst completely understandable, it does mean that we see a lot of street drinking accompanied by arguments, public urination and defecation, aggressive begging and intimidation. In fact many local residents don't go to the garage to fill up their cars (even though this would obviously be very convenient) because of the aggressive begging etc on the forecourt itself.

I think anyone who has knowledge or experience of alcohol related problems will worry that having alcohol in such close proximity will inevitably be a big attraction and, even if there are minimum prices/alcohol content, it will not be a sufficient deterrent for people with very strong addiction problems - it is the ease of accessibility that is the key thing. Moreover the garage (unlike other shops) is extremely anonymous, the attendant sits behind a huge screen at night-time, as well as during day-time hours, rarely leaves the till and seems unaware of what is going on in or around the forecourt.

Many residents have reported that they feel very unsafe in the area and it is particularly worrying for the elderly, people with young children and people with disabilities. If more long term, vested residents continue to leave the area because of these issues, it will continue to degrade and will become a sink neighbourhood. Effective licensing control is one of the ways we can try and turn things around here.

3) People who are stopping by for petrol and happen to pick up a bottle of wine on their way home. We do not think this group would cause any harm to our neighbourhood and if we really thought this would be the general clientele, we would have no objection to the application but the fact is that this is not a 'normal', well balanced neighbourhood and we hope the panel and applicant appreciate this.

We understand the shop has recently changed hands and we hope that the new management will read our objections and withdraw their application because they will see that we really do not wish to harm their business and hope it does wellbut without an alcohol licence. To grant a licence would inevitably harm our neighbourhood and this is our main concern.

On a personal level, I feel completely demoralised and exhausted by trying to deal with these issues - and I know others do too - it's hard to convey the levels of stress that these applications bring, including attending hearings in person and then we also have to deal with a whole host of other neighbourhood issues. Since Fallowfield Village is on the edge of 3 ward boundaries it means that local councillors for each of the wards only have a small part of the workload that we do and it's hard to see the full picture of what is going on here. However much we try and pursue the positive (through unpaid gardening public areas, clearing up litter, trying to draw attention to the history and culture of the area) we are dragged down by a sense of powerlessness.

Yours faithfully,

██████████

On behalf of SEFRG (South East Fallowfield Residents' Group)

Representation from Gavin Evans (Neighbourhoods Team)

From: Gavin Evans <gavin.evans@manchester.gov.uk>

Sent: 20 March 2023 16:49

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

Subject: Premises Licence variation 285721/CT4: MRH Fallowfield, Fallowfield Service Station, 377-385 Wilmslow Road, Manchester, M14 6AH (Withington ward)

Hi,

I would like to raise concerns as Neighbourhood Manager with this application to sell alcohol at MRH Fallowfield Service Station. This particular part of Withington has 3 hotels where vulnerable adults or those with addictions to drugs & alcohol can sometimes be in temporary accommodation. We often have issues at the rear of the service station with adults congregating and we get complaints of ASB, litter and more recently there has been 2 serious incidents aimed at females.

There are community tensions in and around this area with noise and litter and more recently graffiti on the Shell Gagare itself. Next door at 1 Brook Road there was also congregating of adults on the land where alcohol was being consumed and we often have drug dealers targeting those staying locally. We also get complaints of begging or aggressive begging in Withington and Fallowfield which again impacts on local residents or students.

With Withington and Fallowfield having a large student population, we want to reduce as many issues as possible in the local community and noise, transient noise, litter, drugs and ASB are all such common factors that local residents often suffer from with students travelling in and around Wilmslow Rd.

I feel this particular location for selling alcohol will increase issues and complaints and I do not support it.

Gavin Evans
Neighbourhood Manager
Withington, Old Moat & Fallowfield

Representation from Withington ward Councillors

From: Chris Wills <cllr.chris.wills@manchester.gov.uk>

Sent: 07 March 2023 11:28

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

Cc: Angela Gartside <cllr.angela.gartside@manchester.gov.uk>; Becky Chambers <cllr.becky.chambers@manchester.gov.uk>

Subject: Premises Licence variation 285721/CT4: MRH Fallowfield, Fallowfield Service Station, 377-385 Wilmslow Road, Manchester, M14 6AH (Withington ward)

I am emailing on behalf of the Withington Ward councillors to object to the above application for a Premises Licence variation. This is in respect of the Shell service station on Wilmslow Road in Fallowfield. This is a well-used service station.

We do not believe that sale of alcohol at these premises would be beneficial to the wider community. There is already a large Sainsbury's that sells alcohol during its opening hours, and there are convenience stores a short walk further on in Withington District Centre. Furthermore, the service station is located in an area of high student density, as well as being near several premises that are currently being used as temporary accommodation. Many of those who use the accommodation are vulnerable people with histories of substance use. As local members, we have had complaints from residents regarding antisocial behaviour related to alcohol use. This is both by students and by those using the temporary accommodation.

We therefore believe that, notwithstanding the various conditions listed, granting this licence variation to enable the sale of alcohol, would fail on the grounds of prevention of crime and disorder, public safety, and the prevention of public nuisance.

On the basis of the above, we would ask that the application for the variation of this licence be refused.

Best wishes.

Chris

Councillor Chris Wills
Labour & Co-operative Member, Withington Ward

Representation from Fallowfield Community Guardians

From: Fallowfield Community Guardians <fallowfieldcgs@gmail.com>

Sent: 20 March 2023 15:46

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

Cc: Fraser Swift <fraser.swift@manchester.gov.uk>; alan.isherwood <alan.isherwood@gmp.police.uk>; Clare Myatt <clare.myatt@manchester.gov.uk>

Subject: Premises Licence variation 285721/CT4: MRH Fallowfield, Fallowfield Service Station, 377-385 Wilmslow Road, Manchester, M14 6AH (Withington ward)

Dear Sirs

Premises Licence variation 285721/CT4: MRH Fallowfield, Fallowfield Service Station, 377-385 Wilmslow Road, Manchester, M14 6AH (Withington ward)

I am writing on behalf of Fallowfield, Ladybarn & Withington Community Guardians as agreed at our meeting on March 7th 2023. We wish to strongly object to the variation of license to sell alcohol Monday-Sunday between 08.00 and 22.00hrs at the Fallowfield Service Station, 377-385 Wilmslow Rd.

The high levels of anti-social behaviour in this area led to the implementation of a Special Cumulative Impact Policy for Fallowfield, which was adopted in January 2013. Although the CIP has lapsed due to Covid and a new policy is in a consultation process, we consider the issues to be as problematic as they have been for years and that the principles of the CIP should be observed where new off licences are to be considered.

The reasons for our objection are as follows:

1. The Prevention of Crime & Disorder

Incidents of crime and disorder seem to be regularly occurring around this location. Our group meets monthly and residents raise issues around street drinking, crime, litter and anti social behaviour at almost every meeting.

At our March meeting an incident was mentioned that had been reported to GMP by a member of our group. Such incidents are so common that we almost see them as normal. This should not be the case.

████████████████████

On Saturday 4th March at 9am, an older drunk male ██████████ appeared to be snorting drugs outside Shell garage Wilmslow Rd, He then proceeded to bang on the litter bin with a large metal stick. He was staggering around drunk / on drugs. He then went and hung around the cashpoint machine on Shell forecourt. This sort of behaviour seems to be happening a lot around here since temporary accommodation for homeless at three local hotels Ram, Lansdowne and Fallowfield Lodge.

Another member of our group noticed a facebook posting on January 23rd 2023 'My mate just got robbed at knife point outside shell garage fallowfield by a group of lads'.

We are particularly concerned at the rise of anti-social behaviour and crime related to drug delivery and use and alcohol consumption. This has increased significantly since many homeless people have been placed in temporary accommodation at the three nearby hotels which started during the covid pandemic. The Ram, Lansdowne and Fallowfield Lodge are all within a few meters of this service station. The location of this accommodation also attracts drug and alcohol dependent people to hang around the local bus shelters and sit on the walls outside these hotels and the Shell garage as well as outside some of our homes. Residents in our group feel crime has increased and that the addition of alcohol at such a local point to these hotels will aggravate this.

Most service stations have CCTV and we do not feel this in itself will prevent crime and disorder from occurring

In the past there have been other issues of crime including the theft of a giant Costa Coffee advertising cup from the Shell forecourt at this garage by drunken passers-by during University Freshers Week. This sort of prank activity is common in Fallowfield and this incident was reported in the Manchester Evening News:

<https://www.manchestereveningnews.co.uk/news/greater-manchester-news/fallowfield-students-steal-costa-cup-10174237>

We feel that the incidents of crime linked to drug use and alcohol have escalated in recent years and that crime and disorder will undoubtedly increase if alcohol is available for sale at this location. We know that there are other sources of alcohol available for sale (e.g. Sainsbury's) but we feel that this particular location will encourage those with addictions housed nearby to purchase from the garage much more easily.

World Health Organisation research highlights that: "Restriction of availability has been assessed as a highly cost-effective best-buy intervention... Countries are recommended to regulate... to reduce the hours of sale (a highly cost-effective measure) and density of outlets." <https://www.who.int/initiatives/SAFER/alcohol-availability>

We therefore strongly feel that another source of alcohol will cause harm to our neighbourhood.

2. Public Nuisance

Since the licence was granted to sell Costa coffee by vending machine into the early hours, we have noticed a rise in Costa coffee cup litter on our residential streets. We also continue to suffer from heavy littering in the locality of the garage which often includes snacks which have been purchased there such as sandwich wrappers.

Much of the litter in this area is alcohol related and includes broken glass. Alcohol and take away litters is often also deposited in the planters which members of our group look after. One of the container planters outside the Shell garage has been completely vandalised, most likely due to drunken anti-social behaviour.. To our distress, the container planters are often used as litter bins and we feel this will only worsen if alcohol is made available to purchase at this premises.

Drunken litter dropping is a serious issue of concern to residents and causes a lot of council resources to be spent in clean up costs. There is broken glass on most of the streets around our area and it occurs daily. We do not think that adequate litter bins around the garage site will prevent this because patrons eat and drink on the move and drop litter wherever they finish it. Often this is on the pavement, in the hedge or left on garden walls.

We also think that there will be increased noise and nuisance from those purchasing alcohol and drinking it on the streets, either by alcohol dependant people who congregate around this area or by people passing by and purchasing alcohol on their way to a house party or bar/club in Fallowfield, or before getting a bus into the city centre. Pre-loading and drinking on the streets is commonplace because it is cheaper for young people to do this than to pay bar prices. The very high number of University students living in this area makes Fallowfield quite different to most other residential suburbs in Manchester.

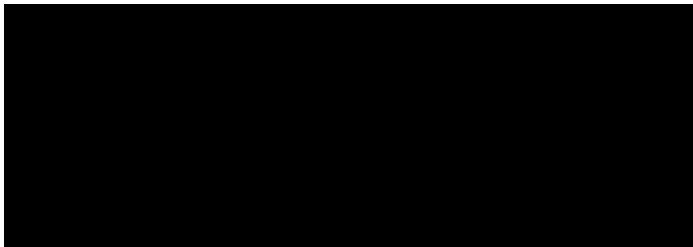
Fallowfield and Withington have a very high density of transient students, living both on and off campus. This has a very big impact on members of our group who live here. From experience, we are convinced that having another source of alcohol for sale will cause further harm to our community and increase public nuisance including more litter, broken glass, shouting, yelling and other anti-social behaviour.

Summary

Members of our group wish to see a reduction in the noise, litter and anti-social behaviour and crime that causes us much distress. This often happens during the daytime and not just during the evening so we feel it is highly inappropriate to have another off licence in a neighbourhood with so many existing alcohol related problems. We feel that another off licence premises will add to these problems and is therefore in conflict with the licensing objectives. Residents request that this application for an off license is completely refused.

Yours

[REDACTED]
Community Guardian Coordinator
Fallowfield, Ladybarn & Withington



Manchester Students' Group (MSG) ...

[REDACTED]
My mate just got robbed at knife point outside shell garage fallowfield by a group of lads there do not walk past there now.

👍👎 23

👍 23

💬 3



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Representation from Licensing Authority

From: Fraser Swift <fraser.swift@manchester.gov.uk>

Sent: 20 March 2023 15:19

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

Subject: Re: Premises Licence variation 285721/CT4: MRH Fallowfield, Fallowfield Service Station, 377-385 Wilmslow Road, Manchester, M14 6AH (Withington ward)

On behalf of the licensing authority as a responsible authority, I am objecting to this application as I have concerns that to grant it could adversely impact on the promotion of the licensing objectives.

The premises is located in the Fallowfield/Withington locality, which is home to significant student and non-student residential populations.

The location of this premises has been subject to a special licensing policy since 2012 aimed at preventing issues associated with licensable activities, including the off sales of alcohol, from worsening.

Residents complain of alcohol-related antisocial noise and other behaviour and significant council resources are dedicated to managing local issues. Residents, councillors and partner agencies are working hard work together to create a safe and harmonious community and there are concerns about the impact of licensed premises, and particularly the impact of alcohol, locally.

Whilst a number of steps to promote the objectives have been proposed in the application, it is not clear what assessment of risks the applicant has undertaken in identifying what are the appropriate steps to promote the licensing objectives in this location. It is important that a licensee understands the local risks and challenges they will be faced with to ensure that they will have appropriate operational skills and resources to identify and address them effectively.

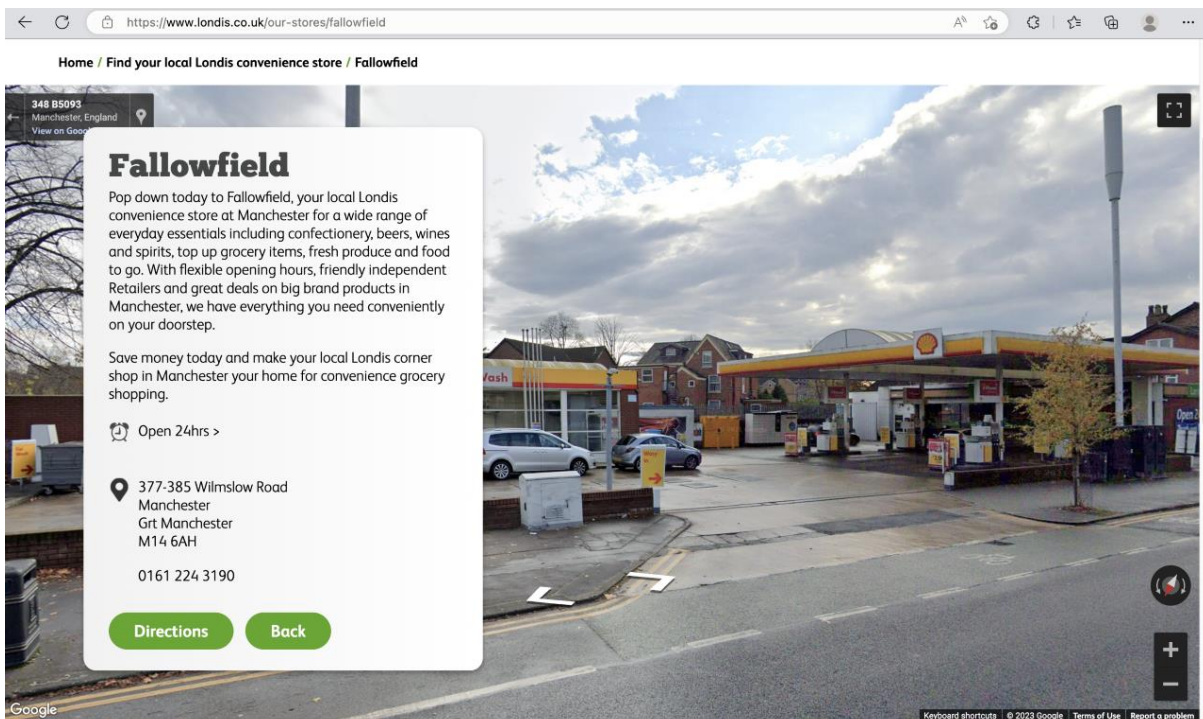
The application and its operating schedule provide no detail on how alcohol is to be sold or to what degree. The steps put forward and the training do not take into account the need to prevent sales to persons who are already intoxicated, and do not address any potential impact on local antisocial behaviour, such as street drinking. Therefore, I would dispute the submission that the steps would not add to any cumulative impact in the area, as key risks have not been identified and addressed.

Furthermore, the location of this premises, which if granted means that it would be closest premises selling alcohol in proximity to many HMOs and other sensitive uses, which would be likely be significant in the level of risk associated with the grant of a licence selling alcohol.

Londis run alcohol promotions, examples of which are below, which I believe would appeal to the student community. It is noted that the graphic taken above from the Londis website promotes that this business is already providing "beers, wines and spirits" and as 'everyday essentials'. Therefore, it would likely become a source adding to cumulative negative impacts of alcohol on the local community and so granting this licence would only likely worsen the situation through contributing to the existing local issues.



Whilst the premises is branded as a Londis, it is most identifiable as a Shell garage.



Paragraph 5.22 of the s182 Guidance to the Licensing Act 2003 states:
Garages and motorway service areas

5.22 Section 176 of the 2003 Act prohibits the sale or supply of alcohol at motorway service areas (MSAs) and from premises which are used primarily as a garage, or are part of premises used primarily as a garage. Premises are used primarily as a garage if they are used for one or more of the following:

- **the retailing of petrol;**
- **the retailing of derv (diesel);**
- the sale of motor vehicles; and
- the maintenance of motor vehicles.

s176 of the Licensing Act 2003 is:

Service areas and garages etc.

176 Prohibition of alcohol sales at service areas, garages etc.

(1) No premises licence, club premises certificate or temporary event notice has effect to authorise the sale by retail or supply of alcohol on or from excluded premises.

(2) In this section “excluded premises” means— „

(b) premises used primarily as a garage or which form part of premises which are primarily so used.

...

(c) premises are used as a garage if they are used for one or more of the following—

(i) the retailing of petrol,

(ii) the retailing of derv,

(iii) the sale of motor vehicles,

(iv) the maintenance of motor vehicles.

It would appear to me that this premises, with the applicant Motor Fuel Ltd is used primarily as a garage. However, I would invite the Licensing Sub-Committee to consider this matter in determining the application. Paras 5.23 and 5.24 state:

5.23 It is for the licensing authority to decide, based on the licensing objectives, whether it is appropriate for that premises to be granted a licence, taking into account the documents and information listed in section 17(3) and (4) which must accompany the application.

5.24 If a licence is granted in respect of a premises and the primary use of that premises subsequently changes (for example, the primary use becomes that of a garage rather than a shop) it would no longer be legal to sell alcohol on that premises. If a relevant representation is made, the licensing authority must decide whether or not the premises are used primarily as a garage. The licensing authority may ask the licence holder to provide further information to help establish what the primary use of the premises is.

Regards, Fraser

FRASER SWIFT

Principal Licensing Officer

Representation from Resident 1

From: [REDACTED]
Sent: 13 March 2023 20:06
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: OBJECTION to Premises Licence variation 285721/CT4

To Whom it May Concern

RE: Premises Licence variation 285721/CT4: MRH Fallowfield, Fallowfield Service Station, 377-385 Wilmslow Road, Manchester, M14 6AH (Withington ward)

I wish to lodge an objection to the above Shell Garage in Fallowfield's, application to sell alcohol 8am-10pm from Monday to Sunday.

The garage is in close proximity to temporary accommodation for homeless people at Ram/Fallowfield Lodge hotels. We have a duty of care to support these **vulnerable individuals** who experience daily struggles including **alcohol dependency**. We must be supportive of this **marginalised group** and granting this alcohol licence is **not** supportive of their needs within our community.

I am concerned that the open availability of alcohol will fuel **crime and disorder** in the area through increased accessibility to alcohol and indeed, in the interest of **safety** I do not believe it is appropriate to have alcohol readily available to drivers.

We must recognise selling alcohol at the garage is irresponsible for maintaining the safety **of our children** by **protecting** them from potential alcohol related disorder.

Granting this license would inevitably lead to increased footfall and congregations leading to a **public nuisance** to residents and the community at large.

In summary, I lodge my objections on the fundamental principles:

- Prevention of crime and disorder
- Prevention of public nuisance
- Protection of children from harm
- Public safety

Many thanks in anticipation of your attention and acknowledgement of my objections.

[REDACTED]
[REDACTED]
[REDACTED]

Representation from Resident 2

From: [REDACTED]
Sent: 14 March 2023 19:27
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Licence 285721/CT4

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

Hello,

I wish to object to the following application:

Premises Licence variation 285721/CT4: MRH Fallowfield, Fallowfield Service Station, [377-385 Wilmslow Road, Manchester, M14 6AH \(Withington ward\)](#)

I am a resident of Fallowfield and am concerned by the extension of the sale of alcohol in this premises. It is next to Ram temporary accommodation, where residents may have alcohol dependence issues and/or recovery from alcohol dependence, so is a very unhelpful juxtaposition in terms of its position in the community. Any increased access to the sale of alcohol in our community would be very unhelpful because we are already blighted by alcohol related anti social behaviour. [REDACTED] [REDACTED] alcohol bottles and cans and broken glass bottles cause harm to local pets. Please don't approve an application which will only increase the volume of litter [REDACTED]

Regards,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Representation from Resident 3

From: [REDACTED]

Sent: 15 March 2023 15:50

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

Subject: Premises Licence variation 285721/CT4: MRH Fallowfield, Fallowfield Service Station, 377-385 Wilmslow Road, Manchester, M14 6AH (Withington ward)

Dear Sir/Madam,

I'm writing in objection to Shell garage's application to start selling alcohol 8am to 10pm Monday to Sunday.

The place is so close to temporary housing for homeless people at The Ram and Fallowfield Lodge where there are often alcohol dependent people hanging around.

I'm highly concerned that the extended hours of alcohol sale will bound to increase more noise, littering and nuisance to Fallowfield on top of the long list of anti-social behaviours we're already facing day and night.

Having lived in Fallowfield for [REDACTED] years, I am increasingly worried by the rising crime numbers here. At least two known fatal stabbing cases had happened in Oct 2022 and Aug 2021 on Wilmslow Road just a few hundred yards apart. More late night establishments in the area will attract youngsters/half-drunken people to hang around in the streets. The later they're out there the more they're apt to getting get rowdy or starting a fight.

Even though the Cumulative Impact Policy has lapsed, there's a known problem with all the issues that led to it being introduced in this area. Therefore we sincerely hope that the Dixy application will be turned down.

Thank you.

[REDACTED]
[REDACTED]

Representation from Resident 4

From: [REDACTED]
Sent: 16 March 2023 16:38
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Fallowfield Service station

I object to this Shell Service Station being granted this alcohol licence.
The area around in Fallowfield already has many places serving alcohol, which leads to much alcohol-fuelled trouble for residents.
Student parties and homeless people with drink problems already contribute to difficulties, and another easy source of drink would increase these problems, which have been frequently highlighted in the press and reported to the police. The recent student murder at Fallowfield Brow is a symptom of this area's uncomfortable situation. There need to be fewer alcohol outlets, not more.

[REDACTED]

Representation from Resident 5

From: [REDACTED]
Sent: 19 March 2023 08:24
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: [REDACTED]
 [REDACTED]

Subject: Premises Licence variation 285721/CT4: MRH Fallowfield, Fallowfield Service Station, 377-385 Wilmslow Road, Manchester, M14 6AH (Withington ward)

Your Ref: Premises Licence variation 285721/CT4: MRH Fallowfield, Fallowfield Service Station, 377-385 Wilmslow Road, Manchester, M14 6AH (Withington ward)

To whom it may concern;

I am a long-term resident of [REDACTED] and I am objecting to the request for a new off license, with opening hours to sell alcohol 8am until 10pm, 7 x days a week at; **Fallowfield Service Station, 377-385 Wilmslow Road, Manchester, M14 6AH (Withington ward)**

These premises (Fallowfield Service Station, 377-385 Wilmslow Road, Manchester, M14 6AH, that is) are situated on Wilmslow Road, which is one of the main arterial routes into and out of Manchester City centre.

It is in close proximity to myself [REDACTED] and local residential properties and is also in an area where there are a plethora of bars, public houses & off licenses and one of the largest student populations in Europe.

This application for alcohol sales Mon to Sun 8am to 10pm is beyond belief. The area is awash with off licences, maxed out with them in fact: Kwik e Mart, New Zealand Wines off licence (which already has an unbelievable small hour 2am licence; granted before the Cumulative Impact Policy was established) to name a few. We do not need yet another off licence, *at all* (at any opening hour window)

As I've stated before in objections; The "Fallowfield Brow area" (an area encompassing a canopy of 7 x streets. 5 x streets moving South to North & 2 x streets East to West, of which the Shell petrol station rests within a 5 x minute walking distance), is now nothing more than a party/club fested, drunken drugged up conurbation, that's really fit for no human life or existence, becoming one giant noise fest; people to and fro, taxis to and fro, shouting, screeching, hollering, yelling, "music" pumping out ad finitum, from early evening until 6am in the morning.

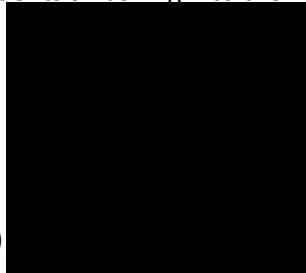
There is a very real danger that this party/club fested, drunken drugged up zombified mass, will be utilising these premises with a view to purchasing more alcohol and, highly likely that the area outside the premises will become yet another zone where noisy, inebriated humans (and I use that term loosely) gather to drink alcohol, with people spilling out onto the busy thoroughfare of Wilmslow Road, putting themselves and others at risk. Also, as the area is subject to a Designated Public Place Order it is likely that this order will be breached far more regularly, creating more work for the local police officers.

This will create added noise disturbance which will obviously be extended beyond what is already being suffered by the local residents.

The Wilmslow Road corridor already suffers from begging, street drinking and other alcohol related anti-social behaviour and to allow yet another premises a license to sell alcohol, will undoubtedly exacerbate these problems.

The request for fresh off license liquor sales, particularly in the light of what's been happening in the near vicinity in Fallowfield (a murder, serious assaults etc), quite frankly, beggars' belief. Shell petrol; a global brand. I'm aghast that this Global Brand wants to jump on the greedy band wagon that tours the area; out to exploit the get down 24/7 party/club zombie liquor saturated wallets and purses that totter around the M14 streets. Unbelievable. And, where do these licence applications stop? When everyone has one?

In addition, In the four years that I've purchased my car, and parked up outside my house, it has been "hit/vandalised" 8 x times. Here's one incident and most pertinent to this application; a cctv still of a pair of drunken students smashing into the nearside door, causing two huge dents in it



(from 08-12-19 @ 05:39am)

With all the garbage that pervades the area, we have a rat infestation (in all the years that I've lived here, we've never had that before) I've already spent £42 for a 5 x visit Pest Control event, which was back in October 2022 and now? .. absolutely no surprise at all .. they're back (see picture below from Boxing day in my back yard – 26-12-22) and I'm now booking yet another £42 visit from Pest Control. Empty cans/empty bottled garbage from Mr "Shell Petrol" will only add to the



overload.

Personally? I am at the very end of my tether in this Fallowfield Brow area; suffering from extreme sleep deprivation, being awoken in the small hours from the transient noise (much of it, created by patrons of drinking emporiums and off licences that provide the liquor of which "Shell Petrol station" would be yet another addition to the problems in the area) pervading the streets here and wading through the mountains of garbage, filth, graffiti, herds of drug dealers and rats.

Quite frankly, the last thing that the Wilmslow Road corridor & "Brow" area of Fallowfield needs is yet another off licence and becoming a magnet for persons "pre-loading" and "post loading" / going to and leaving, the other establishments in the area and causing further suffering to the traumatised local residents.

I would be very grateful if the good members of the committee, could consider these points,

Yours sincerely,

[Redacted signature block]



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

Name	Stuart Alderson
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	Stuart.alderson@manchester.gov.uk
Telephone Number	

Premise Details	
Application Ref No	REF 285721
Name of Premises	Fallowfield Service Station
Address	Fallowfield Service Station, 377-385 Wilmslow Road, Manchester, M14 6AH

Representation

Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.

Licensing and out of hours team have assessed the likely impact of the granting of this variation of licence taking into account a number of factors, including the nature of the area in which the premises is located, the hours applied for and any potential risk that the granting of this variation of licence could lead to issues of public nuisance.

The application is seeking to allow the sale of alcohol from 8am-10pm every day.

The premises is situated on one of the city's major arterial routes and within a predominantly residential area with a high density of students. Nearby are several hotels currently being used as temporary accommodation for the homeless.



We are concerned this variation will undermine the public nuisance licensing objective by leading to an increase in antisocial behaviour in the area. It is likely to increase footfall in this area and lead to a rise in noise nuisance to local residents from groups congregating and migrating to and from the premises purchasing alcohol to “preload”. In May 2022 I received a noise complaint from a nearby resident regarding this premises using its tanoy system. We are concerned that the attraction of alcohol being available at this premises will lead to further complaints for the aforementioned issues.

We are concerned there will be a rise in litter from discarded drinks containers, and an increase of on street drinking. We are also concerned by the prospect of intoxicated people being in the dangerous environment of a service station and the potential risks this could pose.

The statement of licensing policy states-

7.2 In accordance with the section 182 Guidance, when setting out the steps they propose to take to promote the licensing objectives, applicants are expected to obtain sufficient information to enable them to demonstrate that they understand:

– The layout of the local area and physical environment, including crime and disorder hotspots, proximity to residential premises, and proximity to areas where children may congregate

– Any risk posed to the local area by the applicant’s proposed licensable activities

7.4 Applicants are encouraged to identify relevant factors through risk assessment of the local area for their premises before making the application.

7.5 Applicants are expected to address any local factors relevant to their premises.

Licensees should ensure all staff are aware of the DPPO/PSPO when situated within the designated area and reinforce the No Street Drinking warning at point of sale.

The application does not identify or show understanding of any of the local factors or specific risks associated with this location or negate the risk posed to the local area by the applicant’s proposed licensable activities. They do not acknowledge the PSPO in force in this area or detail how they will support it.

These concerns are further compounded by the applicant’s failure to identify who exactly the DPS will be. We have concerns that if an area manager is appointed then they will not be in day to day control of the premises, unable to ensure the measures needed to uphold the licensing objectives are in place and unable to immediately identify or manage any issues.

The World Health Organisation (WHO) study ‘Preventing violence by reducing the availability and harmful use of alcohol’ states. *A range of studies have explored associations between densities of alcohol outlets and violence. Despite methodological limitations, findings are generally consistent, associating higher outlets densities with higher levels of violence.*

The WHO study shows that an increase in just 1 licensed alcohol premises lead to an increase in assaults in that area.

Evidence from greater Manchester drug and alcohol strategy shows *Approaching a quarter of Greater Manchester residents (23%) say that, in their local area, there is a very/fairly big problem with ‘people being drunk or rowdy in public places’ (England and Wales = 16%).* This

is likely to be even higher in Fallowfield.

Nearly two thirds of violent incidents in public spaces are perceived by victims as alcohol related. Over three quarters of victims of violence that takes place after 10pm perceive the offender(s) to have been under the influence of alcohol.

Greater Manchester Police data for 2017/18, shows that 15% of crimes classed as 'Violence Against the Person', and 7% of Sexual Offences, were flagged as alcohol related.

89% of ambulance service workers in the UK believe that dealing with alcohol related ambulance callouts placed an unnecessary burden on their time and resources. On average, 37% of ambulance service time is taken up dealing with alcohol related incidents

The Greater Manchester drug and alcohol strategy also states.

We will also work with our localities to better understand the learning from the use of Cumulative Impact Policies (CIPs) and their role in strengthening the ability of authorities to regulate the availability of alcohol in Greater Manchester and elsewhere in the country.

While the CIP is currently under review, the issues that brought it in to existence for this area, in our experience, still exist and should be considered.

There has been a 48% increase in hospital admissions related to substance misuse amongst those aged 15-24 over the last 6 years in Greater Manchester. There was a total of 1,287 admission in the latest 3-year reporting period (2014/15 - 16/17). The GM rate of admissions per 100,000 population aged 15-24 years is 31% higher than the England rate.

The area where the premises is situated has a large student population who would fall into the 15-24 aged category and we are concerned an increase in availability of alcohol will only serve to put further strain on the emergency services and NHS.

The premises currently operates a delivery service and we are concerned this will be extended to include alcohol should the variation be granted.

The statement of licensing policy states;

9.6 The delivery of alcohol to problematic house parties causing local nuisance and disorder has been a problem in some areas of the city. Operators are expected to use their discretion to ensure that deliveries are refused in situations experiencing alcohol-related nuisance or disorder and to ensure that alcohol is not given to persons who appear drunk.

This has not been addressed in the application. House parties form a significant proportion of the noise complaints we receive and in my experience most are alcohol fuelled. So we ask if the variation is granted conditions are applied as below.

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

Given our concerns outlined above we ask this variation is refused.

Recommendation:

Refuse Application

Re : Application Type: Premises Licence variation

Reference: 285721/CT4

Premises: MRH Fallowfield, Fallowfield Service Station, 377-385 Wilmslow Road, Manchester, M14 6AH

Applicant: Motor Fuel Limited

Description of proposed variation as given by the applicant:

The variation is to do the following:

1. To allow the sale of alcohol between the hours of 0800 and 2200 daily for consumption off the premises
2. To remove the conditions listed under Annex 2
3. To include in Annex 2 the conditions listed in the operating schedule attached to this application

Response on behalf of Withington Civic Society Planning Group

Withington Civic Society Planning Group **opposes the application.**

As a matter of general principle, the Licensing Committee will wish to consider the desirability or otherwise of petrol stations selling alcohol. Many European countries do not permit this. For example it was banned in France several years ago as part of a policy to reduce drunk driving. The WHO (World Health Organisation) publishes a list on its website of European countries which permit such sales and ones which do not.

The key local matter for consideration is Manchester City Council's Statement of Licensing Policy 2016-2021 published on 4 January 2016.

On page 27 to 29 of the policy there are detailed provisions in respect of Fallowfield/Wilmslow Road, all of which we consider are relevant and important. The incidence of crime is of particular concern, all the more so since the murder by stabbing of a young man on Wilmslow Road late last year.

The issue of noise is a matter which causes great distress to local residents, as reported to us by our members.

And the problems of litter will be regrettably obvious to anyone unfortunate enough to walk around in the area. A large planter very close to the entrance to the relevant premises has been devoid of plants for a period of years. It is instead full of litter including cans, glasses, and so on.

The sale of alcohol in a petrol station is, for us, alarming. It is likely to give rise to groups congregating just outside having purchased alcohol in order to pre load on the way to other venues. The likelihood of violent alcohol related crime in the area will increase. And indeed there will be an enhanced risk of fires from the casual disposal of smoking materials close to highly inflammable materials

This application seeks a licence until 10 pm seven days a week. There must be a strong presumption against such a licence in accordance with the paragraph above. Further, there is no good reason why such a licence should be granted, and to do so would be contrary to the Council's stated policy for all the reasons given. Therefore the application should be refused.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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

Document is Restricted

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<p>1. A digital CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose and to be to the reasonable satisfaction of the police.</p> <p>2. The CCTV system shall be capable of producing immediate copies on site. Copies of recordings will either be recorded digitally on to CD/DVD or other equivalent medium. Images shall be provided to the police or to an authorised officer of the licensing authority within 24 hours of request.</p> <p>3. Any recording will be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.</p> <p>4. The precise positions of the camera may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.</p> <p>5. The system will display, on any recording, the correct time and date of the recording.</p> <p>6. The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.</p> <p>7. There will at all times be adequate levels of staff maintained at the premises. Such staff levels will be disclosed, on request, to the licensing authority and police.</p> <p>8. Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.</p> <p>9. The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form or method of identification that complies with any mandatory condition that may apply to this licence.</p> <p>10. Signage informing customers of the age verification policy adopted at the premises will be prominently displayed.</p> <p>11. A written delegation of authority record will be kept at the premises whereby non personal licence holders are authorised to make sales on behalf of a personal licence holder.</p>	N/A	Applicant

Schedule of Licence Conditions

<p>12. All staff engaged or to be engaged in the sale of alcohol on the premises shall receive training in age restricted sales.</p> <ul style="list-style-type: none"> - Induction training must be completed and documented prior to the sale of alcohol by the staff member. - Refresher/reinforcement training must be completed and documented at intervals of no more than 6 months. <p>Training records will be available for inspection by a police officer or other authorised officer on request.</p> <p>13. All cashiers shall be trained to record refusals of sales of alcohol in a refusals book/register. The book/register will contain:</p> <ul style="list-style-type: none"> - details of the time and date the refusal was made; - the identity of the staff member refusing the sale; - details of the alcohol the person attempted to purchase. <p>This book/register shall be available for inspection by a police officer or other authorised officer on request.</p> <p>The book/register shall be retained at the premises or at the officers of the licence holder for a minimum period of 12 months.</p> <p>14. An incident book/register shall be maintained to record:</p> <ul style="list-style-type: none"> - all incidents of crime and disorder occurring at the premises - details of occasions when the police are called to the premises <p>This book/register shall be available for inspection by a police officer or other authorised officer on request.</p> <p>The book/register shall be retained at the premises or at the officers of the licence holder for a minimum period of 12 months.</p> <p>15. All sales tills shall prompt the cashier making a sale of alcohol to verify that the customer is aged 18 or over.</p> <p>16. There shall be no self-service of spirits except for spirit mixtures.</p> <p>17. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.</p> <p>18. There shall be no sale of single cans of beer, lager or cider from the premises</p> <p>20. There will be no sales/supplies of beer, lager or cider with an ABV</p>		
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Schedule of Licence Conditions

<p>over 6%.</p> <p>21. Outside of permitted hours for the sale of alcohol, all alcohol within the trading area (this does not include the display units behind the counter) is to be kept behind shutters / screens / grills.</p> <p>22. The entrance door to the shop will be closed to customers between the hours of 0000 and 0600. Any sales between these hours will be made through the night pay window.</p> <p>23. There will be no alcohol displayed within 3 metres of the store entrance.</p> <p>24. The late night refreshment licensable activity will be for the provision of hot drinks only.</p> <p>25. A notice will be displayed at any point of sale requesting customers to dispose of any used hot drink cups considerately.</p> <p>26. Staff shall regularly check the forecourt area of the premises and will keep it clean and tidy.</p>		
Conditions proposed by objectors	Agreed	Proposed by
<p>27. Where the authority's discretion is engaged following relevant representations, conditions restricting the operation of alcohol delivery services may be imposed by the authority where appropriate for the promotion of the licensing objectives.</p>	No	Licensing and Out of Hours

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 24 April 2023

Subject: Car Wash, 745-753 Ashton Old Road, Manchester, M11 2HB - ref: LTN287119

Report of: Director of Planning, Building Control & Licensing

Summary

Submission of a temporary event notice where an objection notice has been given.

Recommendations

That the Panel consider the objection notice(s) and give a counter notice where it considers it appropriate.

Wards Affected: Clayton & Openshaw

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 11 April 2023, a temporary event notice (TEN) was given under s100A of the Licensing Act 2003 in respect of Car Wash, 745-753 Ashton Old Road, Manchester, M11 2HB in the Clayton & Openshaw ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 In accordance with Licensing Act 2003 regulations, Greater Manchester Police (GMP) and Licensing Out of Hours Compliance (LOOH) were notified of the TEN.
- 1.3 Where either GMP or LOOH is satisfied that allowing the premises to be used in accordance with the TEN would undermine a licensing objective, they must give an objection notice to the relevant licensing authority, the premises user, and to every other relevant person.
- 1.4 The objection notice must be given no later than three working days after the day on which the objector is given the TEN.
- 1.5 An objection notice has been received in respect of this TEN and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. **The Notice**

- 2.1 A copy of the TEN is attached at **Appendix 2**.
- 2.2 The premises user is Atlia de Carvalho Teixeira.
- 2.3 The description of the event is Brazilian day, with food, drinks, plays and live music.
 - 2.3.1 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 TEN.
 - 2.3.2 Any further details provided relating to any of the individual licensable activities are specified on the TEN at **Appendix 2**.
- 2.4 **Activities unsuitable for children**
 - 2.4.1 The premises user 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.
- 2.5 **Further documentation accompanying the application**
 - 2.5.1 The premises user has submitted the following documents in support of the TEN, which are included at **Appendix 4**:
 - Other (Email to Rob Mason regarding event)

3. **Objection Notice(s)**

3.1 An objection notice was received from LOOH in respect of the TEN (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these objections will be available to the Panel at the hearing.

3.2 Summary of the objections:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	Concerns regarding issues of public nuisance and public safety: The premises are located on a busy arterial route and are only surrounded by a low wall causing potential danger to those attending; the proximity of local residents and the number of people attending could give rise to potential nuisance; the playing of music, litter from patrons and the lack of parking provision are potential causes of nuisance to residents; there are no toilet facilities provided; and the event is due to take place on the same weekend as Manchester City play Chelsea..	Serve a counter notice

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 Where the authority considers that to impose on the TEN one or more of the conditions from a premises licence or club premises certificate in force at the premises (insofar as such conditions are not inconsistent with the event) is appropriate for the promotion of the licensing objectives, the policy is to give notice to the premises user that includes a statement of the conditions imposed. Copies of this notice will be provided for GMP and LOOH.
- 4.5.5 Where, following any representations at the hearing, the licensing authority is not satisfied the event will ensure the promotion of the licensing objectives, the policy is to issue a counter-notice against the Temporary Event Notice.

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

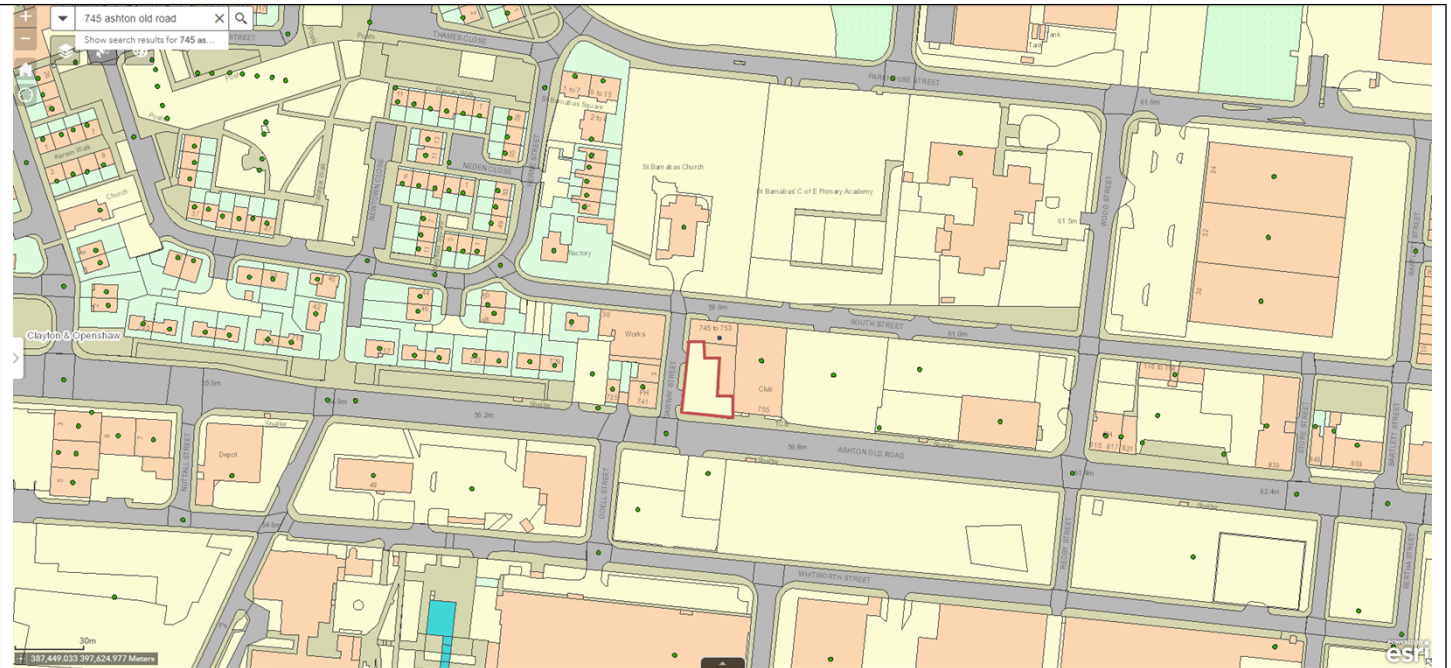
- the protection of children from harm.
- 5.2 In considering the matter, the Panel should take into account any objections that have been received from GMP or LOOH, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council's licensing policy statement.
- 5.3 Having regard to the objection notice(s), the panel must give the premises user a counter notice if it considers it appropriate for the promotion of a licensing objective to do so.
- 5.4 If the panel decides not to give a counter notice the panel may impose one or more conditions on the TEN if –
- the authority considers it appropriate for the promotion of the licensing objectives to do so,
 - the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and
 - the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.
- 5.5 All licensing determinations should be considered on the individual merits of the notification.
- 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.
6. **The Panel is asked to determine the temporary event notice.**

Car Wash

745-753 Ashton Old Road, Manchester, M11 2HB

Premises Licensing
Manchester City Council

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PREMISE NAME:	Car Wash
PREMISE ADDRESS:	745-753 Ashton Old Road, Manchester, M11 2HB
WARD:	Clayton & Openshaw
HEARING DATE:	24/04/2023

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Temporary Event Notice

Payment Transaction number:- SSES00634754 | Form Reference number EF1/778651

Premises User Information

Title

Mr

If other please state

n/a

Surname

de Carvalho Teixeira

Forenames

Atila

Previous names (Please enter details of any previous names or maiden names, if applicable)

n/a

Your date of birth

██████████

Your place of birth

██████

National Insurance Number

██████████

Your current address (We will use this address to correspond with you unless you complete the separate correspondence box)

██████████████████

██████

██████

Telephone

██████████

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email address

[REDACTED]

Address

n/a

Telephone

n/a

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email

n/a

Premises information

Please give the name and address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references)

745 To 753 Ashton Old Rd, Openshaw, Manchester M11 2HB

Premises licence number

n/a

Club premises certificate number

n/a

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details.

n/a

Please describe the nature of the premises

Car Wash/tyre change

Please describe the nature of the event

Brazilian day, with food, drinks, plays and live music. Tents to be used to protect from the possible rain. Using car park area of the land plot to set up event and promote licensible activites.

Licensable activities

The sale by retail of alcohol

Yes

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

No

The provision of regulated entertainment

Yes

The provision of late night refreshment

No

Are you giving a late temporary event notice?

No

Please state the dates on which you intend to use these premises for licensable activities.

20/05/2023 / 21/05/2023

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock).

09:00 - 22:00

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers (maximum 499).

499

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both

Both

Please state if the licensable activities will include the provision of relevant entertainment.

No

If yes selected, please state the times during the event period that you propose to provide relevant entertainment.

n/a

Personal Licence Details

Do you currently hold a valid Personal Licence?

Yes

Issuing Authority

Salford City Council

Licence Number

172022

Date of Issue

14/02/2023

Date of Expiry

N/A

Any further relevant details

n/a

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

No

If answering yes, please state the number of temporary event notices you have given for events in that same calendar year

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your associate have given for events in the same calendar year

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Declaration and Payment New

Name

Atila de Carvalho Teixeira

Capacity in which you are making this application

Applicant

Additional information

I_understand

Yes

These are the files included with this application :-

Acknowledgement

I acknowledge receipt of this temporary event notice

Signature:

On behalf of the Licensing Authority

Date:

Name of officer signing:

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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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**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details

Application Ref No	REF LTK287119
Name of Premises	The Wash
Address	745-753 Ashton Old Road, Manchester, M11 2HB

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 have assessed the likely impact of the grant of this temporary event notice, including the nature of the area in which the premises is located, the hours applied for and any potential risk that the granting of this event could lead to issues of public nuisance and public safety.

The Wash, 745-753 Ashton Old Road, Openshaw is used as a car wash and tyre replacement/repair business during the week, it is located on the busy arterial route into Manchester City Centre from East Manchester, and in the opposite direction towards Ashton and a very busy M60 junction.

To the left of the premise there is a residential estate. The applicant has given notice that the uncovered car park/outside area (outlined in red on the below map) is to be used for a Brazilian themed event for up to 499 people, providing food, drinks, alcohol and regulated entertainment in the open air from 9am to 10pm on 20th May 2023 and 21st May 2023.



The car park is surrounded by a very low wall between Ashton Old Road and the area to be used. I met with the car wash manager who confirmed that the buildings and toilets will not be available for the event and will be locked up.





The Licensing and Out of Hours Team are concerned that the event could cause a public nuisance to residents and for the safety of the people who attend. The applicant has advised there could be up to 499 present and has not thought through how to effectively manage this number of people should an incident or emergency take place. The property and surrounding area does not have parking provisions for the number of people expected should they arrive by car and this could hinder the access and egress should an emergency take place in the vicinity of this address. The provision of outside music will potentially cause an issue for nearby residents so without any further information to assess LOOHT are concerned this will create a public nuisance.

After speaking to the car wash manager, he advised that the inside of the buildings is not going to be accessible by the staff or customers to the event so without the use of toilets and washing facilities during the time we are concerned they will start to use surrounding streets to urinate and leave litter.

The event would also require further risk assessment including what event organisers would do should there be adverse weather conditions during the day. No risk assessments have been presented in support of this temporary event notice and the application has not provided any information of how the licence objectives would be upheld.

It should also be considered that Manchester City Football Club are due to play Chelsea Football Club in a high profile fixture on the same weekend which will attract a sell-out crowd of over 53,000 people to the area and could put extra strain if an emergency does occur. The roads are also likely to be busy as are the footpaths given that Ashton Old Road is one of the main arterial routes to the Etihad stadium.

As a result of this assessment the LOOHT have concerns that the grant of this application is likely to lead to issues of public nuisance and public safety.

Recommendation:

Refuse Application

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From: [REDACTED] >
Sent: 13 April 2023 13:09
To: Robert Mason <robert.mason@manchester.gov.uk>
Cc: Premises Licensing <Premises.Licensing@manchester.gov.uk>; Steven Titterton <steven.titterton@manchester.gov.uk>
Subject: Re: TEN Application - The Wash LTK287119

Hi,

I hope you are all well.

I have spoken to the car wash manager and he confirmed that council staff have attended the premises and only asked the question if he knows myself and did not ask any further questions.

He confirmed and so i can confirmed that the toilets will be available for the event for the use of the public.

The event is made for the openshaw community, and for families to participate.

I have made a mistake when filling out the application for a TEN and advised that 499 people could be present at the same time (as it was the limit), but out planning is that a maximum of 100-120 people could be present at the same time.

Even though it is a Brazilian Themed event, that is being organised for the Openshaw communitiy, so it is expected that people are not going to drive but walk to the event.

Even those who are coming from other places, can still park on the surrounding roads and car parks. There is a also 2 bus stops on both sides of the road offering great links to Ashton and City centre. Metrolink station is a just a short walk.

Once again, the car wash managed was never asked about the use of the buildings and toilets. If needed he can confirm in writing that these will be accessible. If needed, portable toilets could be hired to meet up demand.

If rain would be expected during the day, then all tables would be set up under the covered area and many people would not attend the event so less people would be expected. If rain is not expected, then gazebos and tents would be set up to protect the people working and participating from direct sunlight.

Live music is expected to finish about 7:30pm, leaving background music until the end of the event. All sales or alcohol and refreshments would be made or authorised directly by myself, as a personal licence holder. Free still water bottles are going to be provided for all attendees upon request.

It seems like that the match could cause greater concerns then out small event for the local community. I can not strees enough to change the dates. I would like this to be reviewed.

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