



Licensing Sub Committee Hearing Panel

Date: Thursday, 19 May 2022

Time: 10.00 am

Venue: Council Chamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Access to the Council Chamber

Public access to the Council Chamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension.

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

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Connolly, Evans and Jeavons

Agenda

1. Urgent Business

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

2. Appeals

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

3. Interests

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

4. Application for a New Premises Licence - Kitten Restaurant, Unit 3A, Deansgate Square, 9 Owen Street, Manchester, M15 4TN

5 - 70

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

5. Temporary Event Notice - Top Curls Hairdressing, 157-159 Princess Road, Manchester M14 4RE

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

Information about the Committee

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

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

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

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

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

Smoking is not allowed in Council buildings.

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

Further Information

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

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 19 May 2022

Subject: Kitten Restaurant, Unit 3A, Deansgate Square, 9 Owen Street, Manchester, M15 4TN - App ref: Premises Licence (new) 272631

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendations

That the Panel determine the application.

Wards Affected: Deansgate

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

Name: Fraser Swift
Position: Principal Licensing Officer
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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 24/03/2022, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Kitten Restaurant, Unit 3A, Deansgate Square, 9 Owen Street, Manchester, M15 4TN in the Deansgate ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Mule Coffee Ltd.
- 2.3 The description of the premises given by the applicant is 100 seater restaurant and cocktail bar
- 2.4 The proposed designated premises supervisor is Mujtaba Rana
- 2.5 **The licensable activities applied for:**

Provision of regulated entertainment (recorded music indoors):

Sun to Thu 9am to 12.30am, Fri to Sat 9am to 1.30am

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Bank holiday Sundays 9am to 1.30am

Provision of late night refreshment (indoors):

Sun to Thu 11pm to 12.30am, Fri to Sat 11pm to 1.30am

Bank holiday Sundays 11pm to 1.30am

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

Sun to Thu 9am to 12 midnight, Fri to Sat 9am to 1am

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Bank holiday Sundays 9am to 1am

Opening hours:

Sun to Thu 9am to 12.30am, Fri to Sat 9am to 1.30am

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Bank holiday Sundays 9am to 1.30am

- 2.5.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 2.5.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 2**.
- 2.6 **Activities unsuitable for children**
- 2.6.1 The applicant has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
- 2.7 **Steps to promote the licensing objectives**
- 2.7.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.
- 2.7.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 4**.
- 2.8 **Further documentation accompanying the application**
- 2.8.1 The applicant has submitted the following documents in support of their application, which are included at **Appendix 5**:
- Premises Plan
3. **Relevant Representations**
- 3.1 A total of 5 relevant representations were received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

Other Persons:

- Business (x1);
- Residents (x4).

- 3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Business (x1)	Concerns regarding the Prevention of Public Nuisance Licensing Objective due to noise nuisance and the lateness of the terminal hour and the proximity of residential properties.	Grant with reduced hours
Residents (x4)	Concerns regarding the Public Safety, Prevention of Public Nuisance and Prevention of Crime and Disorder Licensing Objectives due to anti-social behaviour, the lateness of the terminal hour and the proximity of the premises to local residences including families with children.	Not stated/ Grant with reduced hours

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

4. **Key Policies and Considerations**

4.1 **Legal Considerations**

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

4.2 **New Information**

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

4.3 **Hearsay Evidence**

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

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

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

4.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing

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

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

4.5 **Manchester Statement of Licensing Policy**

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

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

- 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

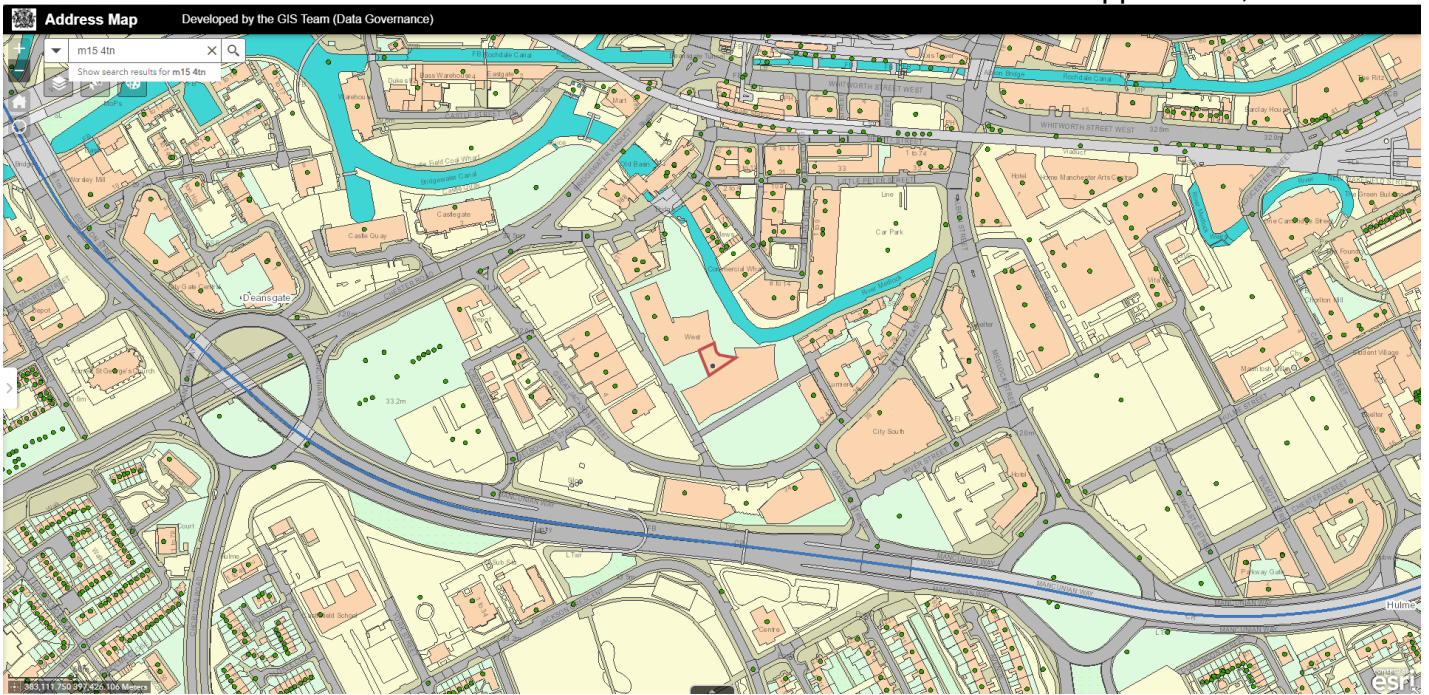
This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be appropriate to apply in every situation to every premises, and applicants are not obliged to include all standards in their operating schedule. 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.

MS8 Prevent noise nuisance from the premises

Conclusion

- 4.6 A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 4.7 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council's licensing policy statement.
- 4.8 Having regard to the representations, the Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to:
 - i. the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate, and
 - ii. any mandatory conditions that must be included in the licence;
 - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;

- c) To refuse to specify the person proposed in the application as the designated premises supervisor;
 - d) To reject the application.
- 4.9 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 4.10 All licensing determinations should be considered on the individual merits of the application.
- 4.11 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 4.12 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 4.13 **The Panel is asked to determine the application.**



Kitten Cafe
Unit 3A Deansgate Square, 9 Owen Street,
Manchester, M15 4YB

Premises Licensing
Manchester City Council

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PREMISE NAME: Kitten Cafe

PREMISE ADDRESS: Unit 3A Deansgate Square, 9 Owen Street, Manchester, M15 4YB

WARD: Deansgate

HEARING DATE: 19/05/2022

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We MULE COFFEE 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			
KITTEN RESTAURANT Unit 3A - Deansgate Square, 9 Owen Street			
Post town	Manchester	Postcode	M15 4YB
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ New build, not yet rated.	

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	Mule Coffee Ltd
Address	13 Blossom Street Ancoats Manchester M4 5AF
Registered number (where applicable)	12148845
Description of applicant (for example, partnership, company, unincorporated association etc.)	Limited Company

Telephone number (if any)
E-mail address (optional) XXXXXXXXXX

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	2	0 4 2 0 2 2

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

DD	MM	YYYY

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

KITTEN restaurant is a 100 seater restaurant & cocktail bar in a standalone unit located in the North Tower of the residential Deansgate Square development. The public areas are all on ground level and the unit includes 4 toilet/WC including a DDA compliant Toilet/WC.

The venue will serve all-day snacks, lunch, dinner, coffee and alcohol in both the main ground floor unit and outdoor seating area (c.30 covers - in the pedestrianised square adjacent to the unit) to largely to the residents within the development and outside diners.

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)



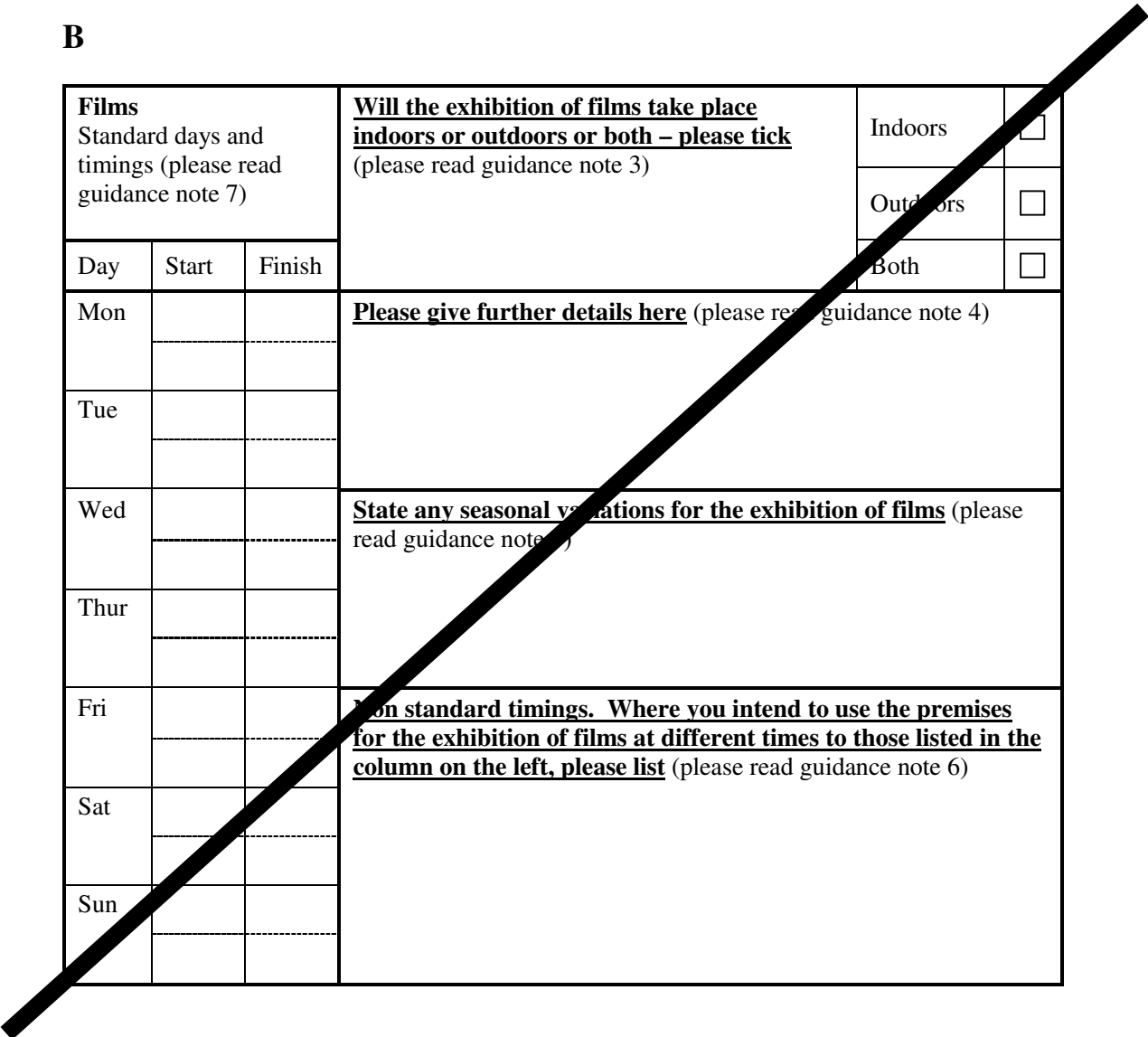
In all cases complete boxes K, L and M

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

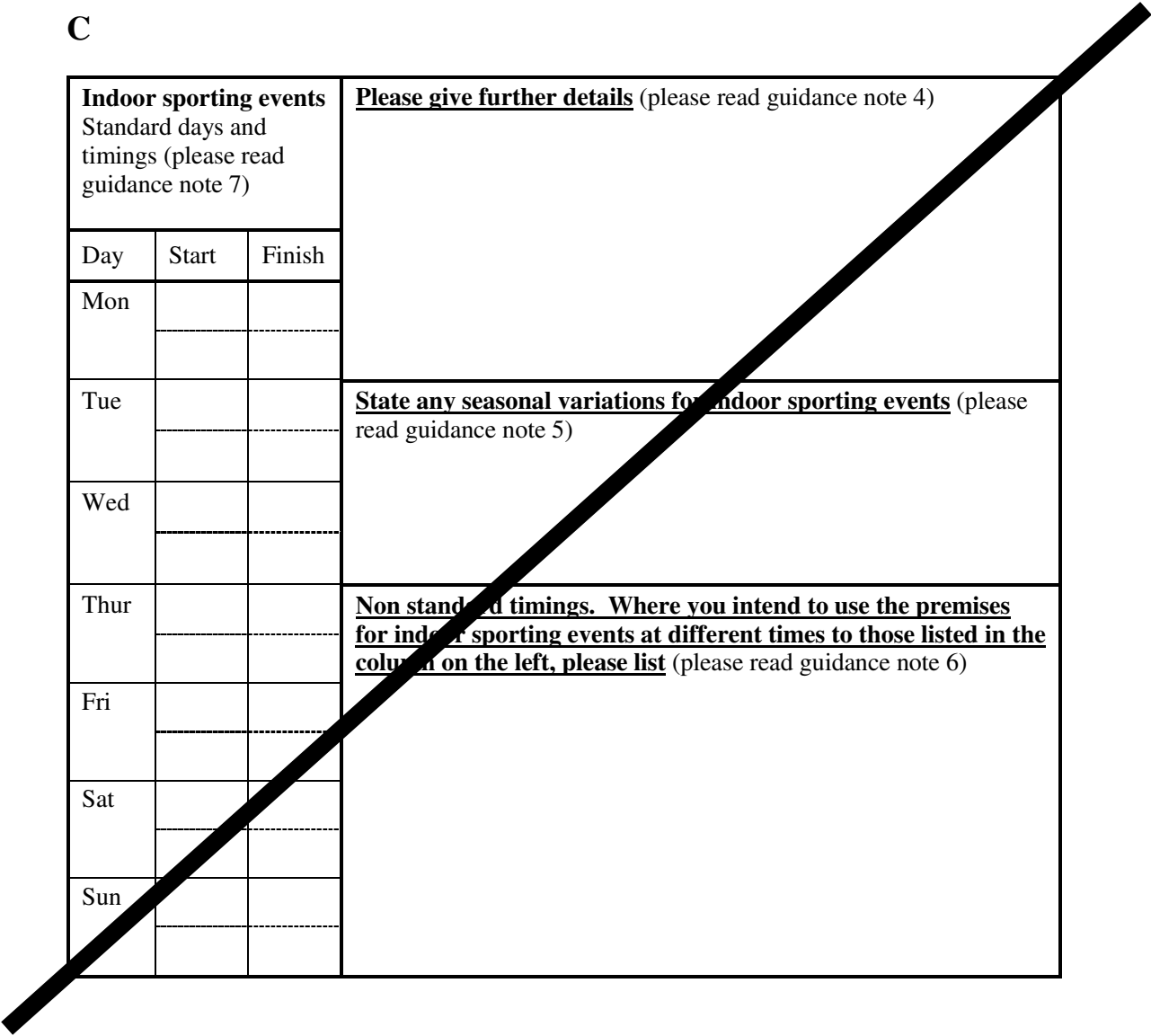
B

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



C

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

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
Fri					
Sat			<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)		
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 checked="" type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon	09:00	00:30	<u>Please give further details here</u> (please read guidance note 4) Amplified music performed by a DJ.		
Tue	09:00	00:30			
Wed	09:00	00:30	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) New Year - From the end of permitted hours on New Years Eve to the start of permitted hours New Years Day		
Thur	09:00	00:30			
Fri	09:00	01:30	<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) Bank Holiday Sundays - 09:00-01:30		
Sat	09:00	01:30			
Sun	09:00	00:30			

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

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 4)</p>		
Wed					
Thur			<p><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)</p>		
Fri					
Sat			<p><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)</p>		
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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	09:00	00:30	<u>Please give further details here</u> (please read guidance note 4)		
Tue	09:00	00:30			
Wed	09:00	00:30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	09:00	00:30			
Fri	09:00	01:30	<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) Bank Holiday Sundays - 09:00-01:30		
Sat	09:00	01:30			
Sun	09:00	00:30			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) New Year - From the end of permitted hours on New Years Eve to the start of permitted hours New Years Day		
Mon	09:00	00:00			
Tue	09:00	00:00			
Wed	09:00	00:00			
Thur	09:00	00:00	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	09:00	01:00	Bank Holiday Sundays - 09:00-01:00		
Sat	09:00	01:00			
Sun	09:00	00:00			

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	Mujtaba Rana
Date of birth	██████████
Address	██████████ ██████████ ██████████
Postcode	██████████
Personal licence number (if known)	PERS 3848
Issuing licensing authority (if known)	London Borough of Lambeth, (Licensing Section, 5th Floor, 234-244 Stockwell Road, London, SW9 9SP)

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).

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p><u>State any seasonal variations</u> (please read guidance note 5)</p> <p>New Year - From the end of permitted hours on New Years Eve to the start of permitted hours New Years Day</p>
Day	Start	Finish	<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>Bank Holiday Sundays - 09:00-01:30</p>
Mon	09:00	00:30	
Tue	09:00	00:30	
Wed	09:00	00:30	
Thur	09:00	00:30	
Fri	09:00	01:30	
Sat	09:00	01:30	
Sun	09:00	00:30	

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)

Not enough space, please see the attached letter.

b) The prevention of crime and disorder

Not enough space, please see the attached letter.

c) Public safety

Not enough space, please see the attached letter.

d) The prevention of public nuisance

Not enough space, please see the attached letter.

e) The protection of children from harm

Not enough space, please see the attached letter.

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

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

	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	[REDACTED]
Date	[REDACTED]
Capacity	DIRECTOR

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
[REDACTED]			
Post town	Manchester	Postcode	M4 5AF
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

A) General - all four licensing objectives:

Security and safety will be of upmost importance to the premises. We will constantly monitor our policies and procedures in place, to ensure we are adequately maintaining the standards. If not, additional staff and equipment will be brought in.

The premises licence holder will ensure the following, first and foremost:

- The security system is in good working order
- Briefing staff regularly on the security systems
- No nuisance is caused by drunkenness
- Have a glass collection policy in place
- Have a zero tolerance towards drugs
- Have regular commercial waste collection in place

The DPS will ensure that a written notice of authority is kept at the premises for all the staff. The notice will be made available for inspection upon request by the police / licensing, and all staff selling alcohol will have identification to hand to enable them to verify the identity against this.

In addition to any other training, the premises licence holder will ensure all staff are training to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, and monitor staff to ensure their training is put into practice. Documented records of training complete shall be kept for each member of staff. Training will be refreshed every 3-6 months.

B) Crime and disorder: Security will be of upmost focus.

Security will be of upmost focus. A full digital, colour CCTV system will be installed, with both interior and exterior camera's fitted, to cover the entry exit points. Cameras will cover both staff and customers. The CCTV cameras will continually record 24 hours a day and recordings will be kept available and unedited for a minimum of 28 days with the date and time stamping. All staff members will be conversant with the operation of the CCTV system with at least one staff member being present on the premises (when open to the public) who can download CCTV images upon request by the police / licensing. The footage will be playable on a PC/portable device.

An incident log will be kept at the premises for at least six months, and made available to the police / licensing, which will record the following important information:

- (a) All crimes reported to the venue to y the venue to the police
- (b) All ejections of patrons
- (c) Any incidents of disorder
- (d) Any faults in the CCTV system
- (e) Any visit by a relevant authority or emergency service.

SIA registered door staff shall be employed at the premises and whilst on duty will wear high visibility armbands. When employed, a register of those door staff shall be maintained at the premises and shall include all relevant information (number of door staff, identity and timing on site).

(C) Public safety

Staff will be encouraged to attend first aid training. Measures will be taken to prevent any accidents / injury to ensure physical safety, including well lit interiors and clear pathways. Regarding fir safety, full sprinkler systems are in place, and fire extinguishers will be on site. The layout of the premises and placement of doors allows for easy access to emergency services. We will sign up for local incident alerts, to ensure we are unto date with any incidents in the area, waste collection is managed in conjunction with the building. Taxi information will be available to customers to aid safe departure, and the area outside of the unit is well lit by the vary nature of the area.

(D) Public Nuisance

Given the location and nature of the venue, nuisance risk will be at a minimum.

Staff will regularly check if any litter is left in the area surrounding the premises and dispose immediately if found. Waste will be contained within the buildings interior bin room, and will not cause any unpleasant smells. There will be signage within the premises that encourage our customers to leave the premises in a respectful manner to neighbours. Litter bins will be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.

All external doors shall be kept closed at all times except for the immediate access and egress of persons. Doors will be kept closed to keep noise to a minimum, in the evening hours.

No noise will emanate from the premises nor vibration be transmitted through the structure of the premises that will give rise to a nuisance to nearby residents. No deliveries or collections (refuse or otherwise) will be made between 20:00-08:00. No bottles, glasses or similar items will be disposed of in bins during these times.

Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance. A documented smoking policy will be put into place, and notices will be prominently displayed at any area used for smoking, requesting patrons to respect the needs of the local residents and use the area quietly. Customers permitted to temporarily leave and then re-enter the premises to smoke, shall not be permitted to take drinks or glass containers with them.

(E) Children

We will enforce a number of robust procedures to help underage sales of alcohol.

We will display prominent signage indicating at the point of sale and the entrance of the premises it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18. The challenge 25 scheme will be firmly followed, and staff will be trained to ensure anyone who appears under the age of 25 shall provide documented proof he/she is over 18 (either by showing their passport, photo card driving license, an HM Forces warrant card, or a PASS-hologram card).

Staff will be trained in all aspects of child protection within a licence premises, specifically including age identification and refusal of alcohol supply to minors. Documented records of this training will be regularly refreshed (every 3-6 months), and records made available for inspection by police or licensing. A refusals log will be maintained (showing date and time of refusal, and the member of staff's name), and made available to police / licensing, and regularly checked by the DPS to ensure it is being used appropriately.

There is no adult entertainment on the premises - including film, performance or gambling, etc. Children will have to be accompanied by an adult at all times. This policy will be made clear to staff and customers. There is no close proximity to schools etc, meaning there will not be a risk of children being near the premises.

Web reference number 4716994

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

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

Full name : Mujtaba Rana

Address including postcode : [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Email : [REDACTED]

Daytime telephone number: [REDACTED]

Name of applicant that has nominated you to be the DPS: Mule Coffee LTD

Premises licence number if applicable:

Name and address of the premises : Kitten Restaurant

Unit 3A - Deansgate Square

9 Owen Street

Manchester

M15 4YB

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

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

Do you hold a personal licence: Yes

What is your personal licence number?: PERS 3848

Which local authority (name, address and telephone number) issued the personal licence?: London Borough of Lambeth,

Licensing Section

5th Floor

234-244 Stockwell Road

London

SW9 9SP

I confirm that I am... : entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence

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

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

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

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

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

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

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

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BUS1

From: [REDACTED] <[REDACTED]>
Sent: 14 April 2022 10:20
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Licence Application - Kitten Restaurant - 272631/PW5

Good Morning,

I would like to register strong objections to this application.

The proposal to be licensed to 1.30am in the vicinity of one of the most densely populated residential area of Manchester will undoubtedly cause a public noise nuisance.

Recent licenced activities in this area during December 2021 (Christmas markets and Tee Pee) indeed caused a significant nuisance and resulted in complaints being made on a regular basis as a result of the regular nuisance caused.

It would seem sensible to adopt a more sensible time restriction on licenced activities of a maximum of 11pm, which aligns with the approach taken in similar densely populated residential areas such as Cutting Room Square as I understand.

I trust the above will be fairly considered in determining an appropriate and balanced approach to licencing these new premises.

Many Thanks,

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

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

From: [REDACTED] >
Sent: 19 April 2022 12:25
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: RE: [External] Acknowledgement of objection to premises licence application 272631PW5: Kitten Restaurant, Unit 3A, Deansgate Square, 9 Owen Street, Manchester, M15 4TN - WHAT HAPPENS NEXT.

Good Morning,

My address is [REDACTED].

Kind Regards,

[REDACTED]
[REDACTED]
[REDACTED]

RES1

From: [REDACTED] >
Sent: 14 April 2022 11:08
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Kitten business hours

Good morning , I am writing to object to the late business hours for the new coffee bar at Deansgate square .11pm is late enough. As a family we would be highly disturbed by late opening hours . Also I feel it would cause a very unsafe and anti social behaviour surrounding our home. The noise will cause huge ramifications to all residents and large the number of families that live in the apartments. It will only attract trouble if allowed to be open so late and will bring a number of police incidents to the area. It will attract large numbers of people who don't live in the buildings and most people live within these apartments because it's secure. These opening times will jeopardise that safety. We all have a right to a peaceful environments and this will end this for many of us who live within the buildings. It would ultimately cause my family to move out, and others would follow. There are enough places people can go for late openings , it shouldn't have to be on our door step . In the warmer months when the windows need to be open , we would not be able to escape the noise. There are many children that live here . It's not fair.

[REDACTED]
[REDACTED]
[REDACTED]

Sent from my iPhone

RES2

From: [REDACTED] >
Sent: 14 April 2022 11:14
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Kitten Restaurant Deansgate Square

I am writing in regard to the opening of kitten restaurant at Deansgate Square.

I feel this will cause public nuisance. I am a resident of North Tower and music below my apartment until 1.30am every weekend will cause disturbance.

My tenancy states loud music must end at 11pm and as this is predominantly a residential area I don't feel a bar should be allowed to operate past these hours.

During December a Christmas market was opened in a very similar location and caused a significant amount of noise disruption and frustration for residents. Causing several complaints to be logged. I feel this would have a similar disruptive impact on the area.

[REDACTED]

Sent from my iPhone

RES3

From: [REDACTED] >
Sent: 14 April 2022 11:53
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Licence Application - Kitten Restaurant - 272631/PW5

Good Morning,

I would like to register strong objections to this application.

The proposal to be licensed to 1.30am in the vicinity of one of the most densely populated residential area of Manchester will undoubtedly cause a public noise nuisance.

Recent licenced activities in this area during December 2021 (Christmas markets and Tee Pee) indeed caused a significant nuisance and resulted in complaints being made on a regular basis as a result of the regular nuisance caused.

It would seem sensible to adopt a more sensible time restriction on licenced activities of a maximum of 11pm, which aligns with the approach taken in similar densely populated residential areas such as Cutting Room Square as I understand.

I trust the above will be fairly considered in determining an appropriate and balanced approach to licencing these new premises.

Many Thanks,

RES4

From: [REDACTED] >
Sent: 14 April 2022 12:12
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Objections to application reference: 272631/PW5

Dear Sir or Madam,

I am writing to you regarding a premises licence application with reference: 272631/PW5.

I object to the granting of this licence on the basis of the prevention of public nuisance.

I am a resident in the North tower at Deansgate Square, a high rise residential development adjacent to the proposed premises for the applicant, Kitten Restaurant.

The neighbourhood is primarily residential, including a substantial number of families with young and school-aged children. The opening of a late-night establishment playing music and serving alcohol would undoubtedly generate a lot of noise into the late hours of the night, given that the proposed opening hours extend until 12:30am weekdays and 1:30am weekends. This would cause a nuisance and disturb the right to quiet enjoyment of the residents in my development. In addition, disruption of sleep at these late hours has an impact on the ability to perform work functions, and I believe the ultimate impact would be detrimental to the local economy. With rising costs of living, having a healthy workforce is essential to the future of Manchester and the country in general.

As I mentioned, there are a number of children residing in the development, and so I also object on the basis of the protection of children from harm. Children's sleep is essential to their proper development. Late night noise from music and people exiting the proposed establishment after having consumed alcohol would disrupt this sleep. We need to protect these children from the harm it would cause both their physical well being as well as their ability to properly attend and participate in their education. The pandemic has already caused significant disruption to education, and we don't need to unnecessarily add to this public issue.

As a resident in Manchester City Centre, I appreciate having access to nighttime entertainment, and I support small businesses. However, for the reasons I have outlined above, I don't believe this is an appropriate location for such an establishment. This is a residential area which is generally quiet in the evenings and nights, which is a rare and unique aspect of a development that is in a city centre. Please don't allow late night nuisances to disrupt our home lives.

Kind regards,
[REDACTED]

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of the Local Government Act 1972.

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 19 May 2022

Subject: Top Curls Hairdressing, 157-159 Princess Road, Manchester, M14 4RE
- ref: LTN274554

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: 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 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 5 May 2022, a temporary event notice (TEN) was given under s100A of the Licensing Act 2003 in respect of Top Curls Hairdressing, 157-159 Princess Road, Manchester, M14 4RE in the Moss Side 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 Beverley Mcnair.
- 2.3 The description of the event is Jubilee and birthday celebration.
- 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.

3. **Objection Notice(s)**

- 3.1 Objection notices were received from GMP and from LOOH in respect of the TEN (**Appendix 3**). 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
GMP	There is no detail within the form to show how no disturbance will be caused to nearby residents, how the number of persons attending will be restricted or where persons wishing to smoke will be situated.	Serve a counter notice
Licensing and Out of Hours Compliance	Due to other celebrations/events likely taking place in the area for the Jubilee the Licensing and out of Hours team feel that this event is not suitable for this location and the concerns of public safety, public nuisance, crime and disorder and the protection of children from harm outweighs the requirement of this event to take place.	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 licencing 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.

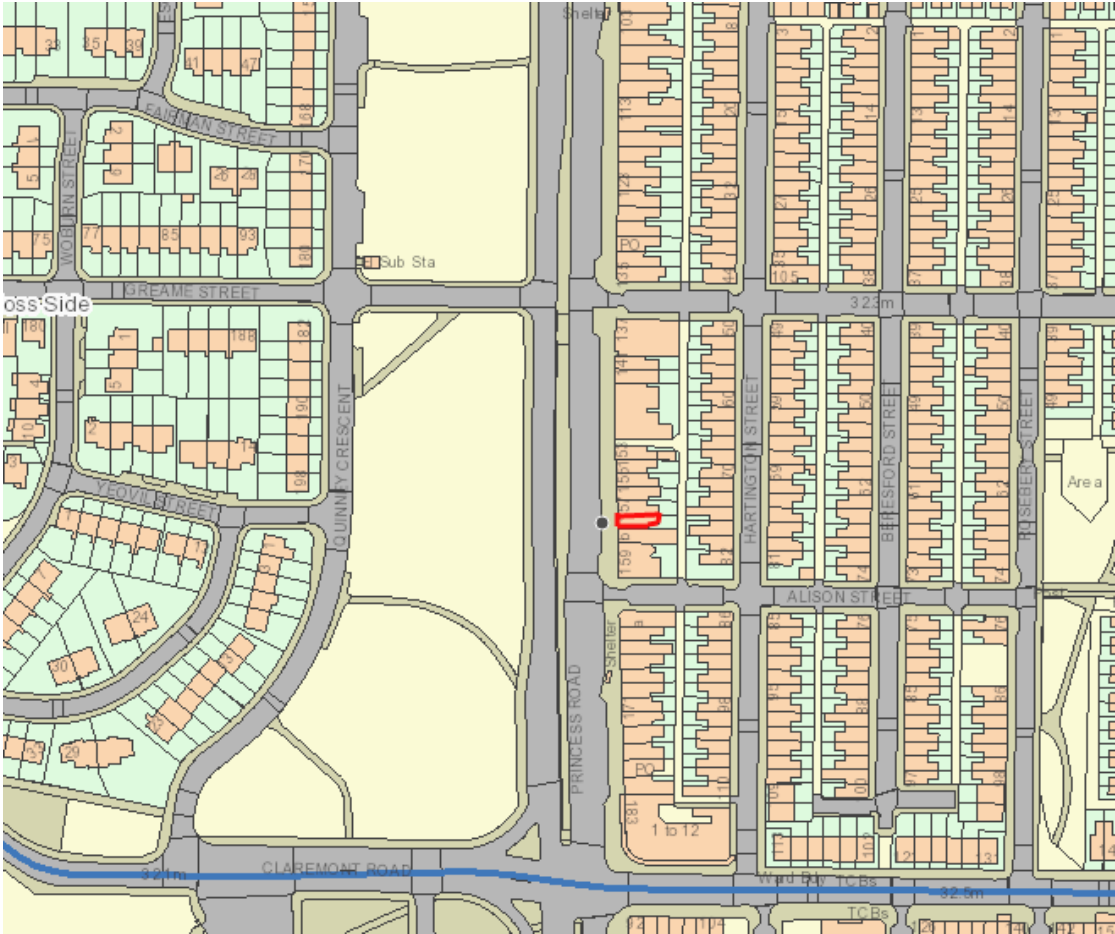
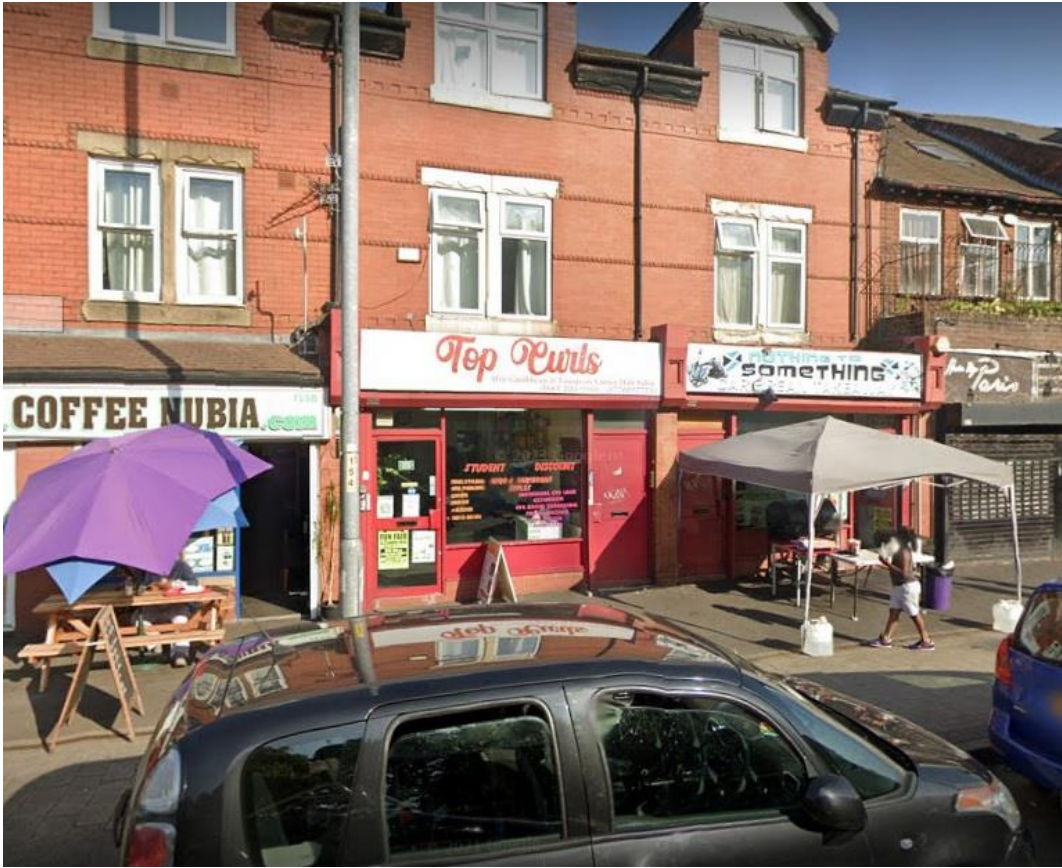
5. **Conclusion**

- 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.**



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Temporary Event Notice

Payment Transaction number:- SSES00334890 | Form Reference number EF1/415639

Premises User Information

Title

Miss

If other please state

n/a

Surname

Mcnair

Forenames

Beverley

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

[REDACTED]

Your date of birth

[REDACTED]

Your place of birth

[REDACTED]

National Insurance Number

[REDACTED]

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

[REDACTED]

[REDACTED]

[REDACTED]

Telephone

[REDACTED]

Evening telephone

n/a

Mobile phone

[REDACTED]

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)

Top curls
157 princess rd
Manchester
M14 4re

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

Hairdresser salon

Please describe the nature of the event

To celebrate the queen's platinum jubilee and my mother's 85 birthday.

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

No

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.

June 2nd and 3rd

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

12pm to 4am

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).

75

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

On

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?

No

Issuing Authority

n/a

Licence Number

n/a

Date of Issue

n/a

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

Beverley mcnair

Capacity in which you are making this application

100

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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GREATER MANCHESTER POLICE



To: Manchester City Council
Licensing Unit
Town Hall Extension

To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

6th May 2022

Dear Madam,

Please accept this letter as formal notification that Greater Manchester Police wish to object, under Section 104(2) of the Licensing Act 2003, to the **TEMPORARY EVENT NOTICE** detailed below, as we are satisfied that granting the application under these circumstances would undermine the Prevention of Crime and Disorder and the Prevention of Public Nuisance Objectives.

PREMISES NAME:	Top Curls
ADDRESS:	157 Princess Road Manchester M14 4RE
DATE OF EVENT:	02/06/22 & 03/06/22
TIME OF EVENT:	1200 – 0400 hours

The application seeks to allow the premises to remain open until 4am and sell alcohol for 16 hours on 2 days and permits up to 75 people to be present.

The premises backs onto a heavily residential area and usually operates as a hair dressers salon.

There is no detail whatsoever within the application to show how no disturbance will be caused to the nearby residents, how the number of persons attending will be restricted or where persons wishing to smoke will be situated.

In essence the application is asking to allow people to consume alcohol for 16 hours in a hair dressers with no mention of food, entertainment, toilet provision or dispersal.

If this TEN was granted it is extremely likely that it will cause a level of disturbance to nearby residents that is wholly unacceptable.

GREATER MANCHESTER POLICE

Therefore Greater Manchester Police ask that this application is refused.

Signed:.....PC 17659 Isherwood..... (rank/pin/name)

Date/Time 06/05/22.....1150 hrs



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details

Application Ref No	274554
Name of Premises	Top Curls Hairdressing
Address	157 Princess Road, Manchester, M14 4RE

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 application and have concerns in relation to public nuisance, crime and disorder, public safety and the protection of children from harm.

The premise has held 3 previous Temporary events authorised up until 01:00am – 02:00am. These events have been held without out any known issues and according to LOOH observation the events concluded earlier than requested in the temporary event notice.

On this occasion the applicant has requested for 75 people to be in attendance with the event taking place until 04:00am. This allows 16 hours for the consumption of alcohol and with the number of attendees, this would result in vertical drinking which is known to result in an increased consumption of alcohol. The event is being held to celebrate a birthday party and the queen's jubilee.

Due to the Queen's jubilee, it is likely that the area will have an increase of residents gathering in the area where street parties and street drinking will take place.

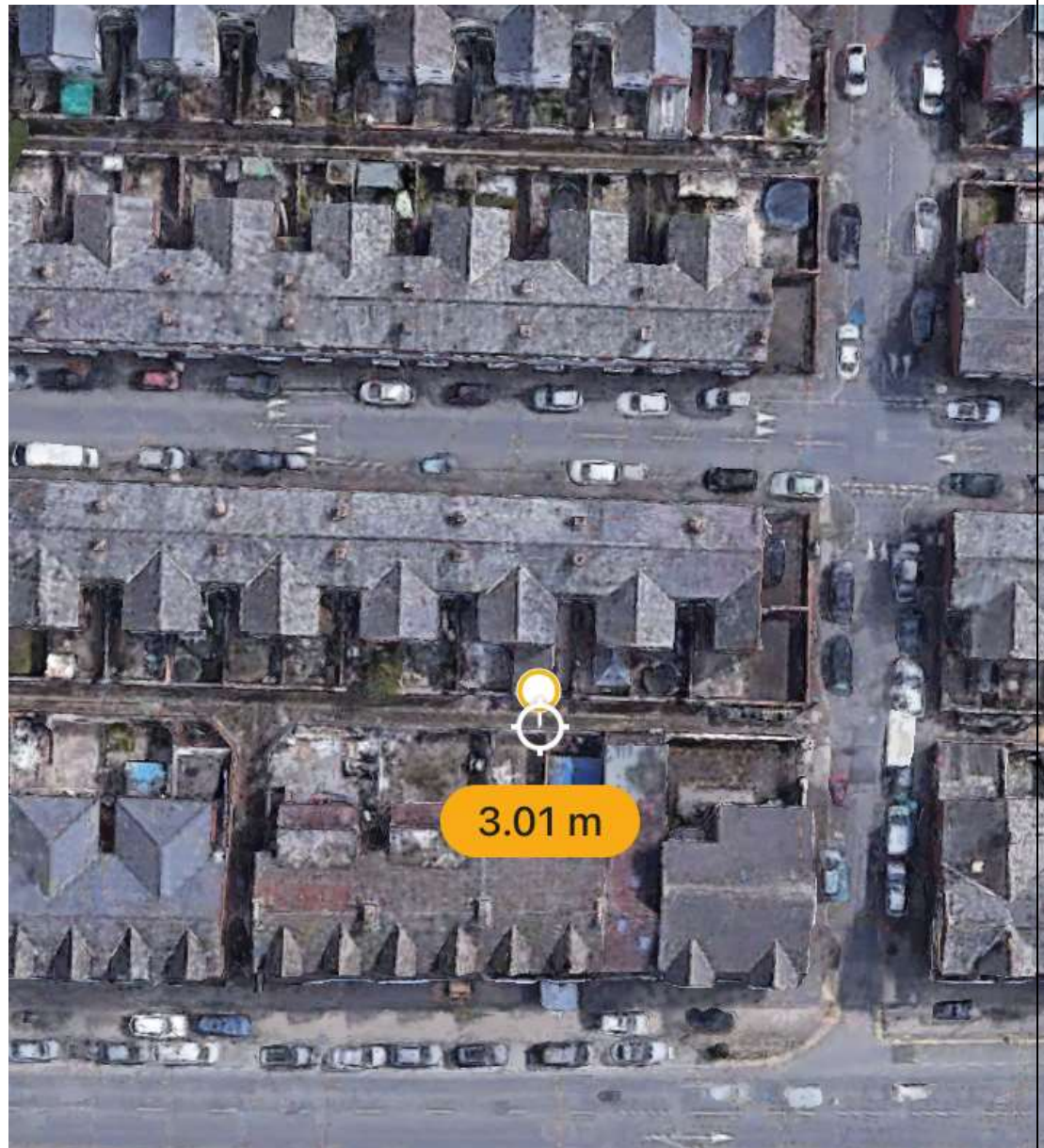
Once other events have concluded residents in the area will seek other opportunities to continue the celebrations.

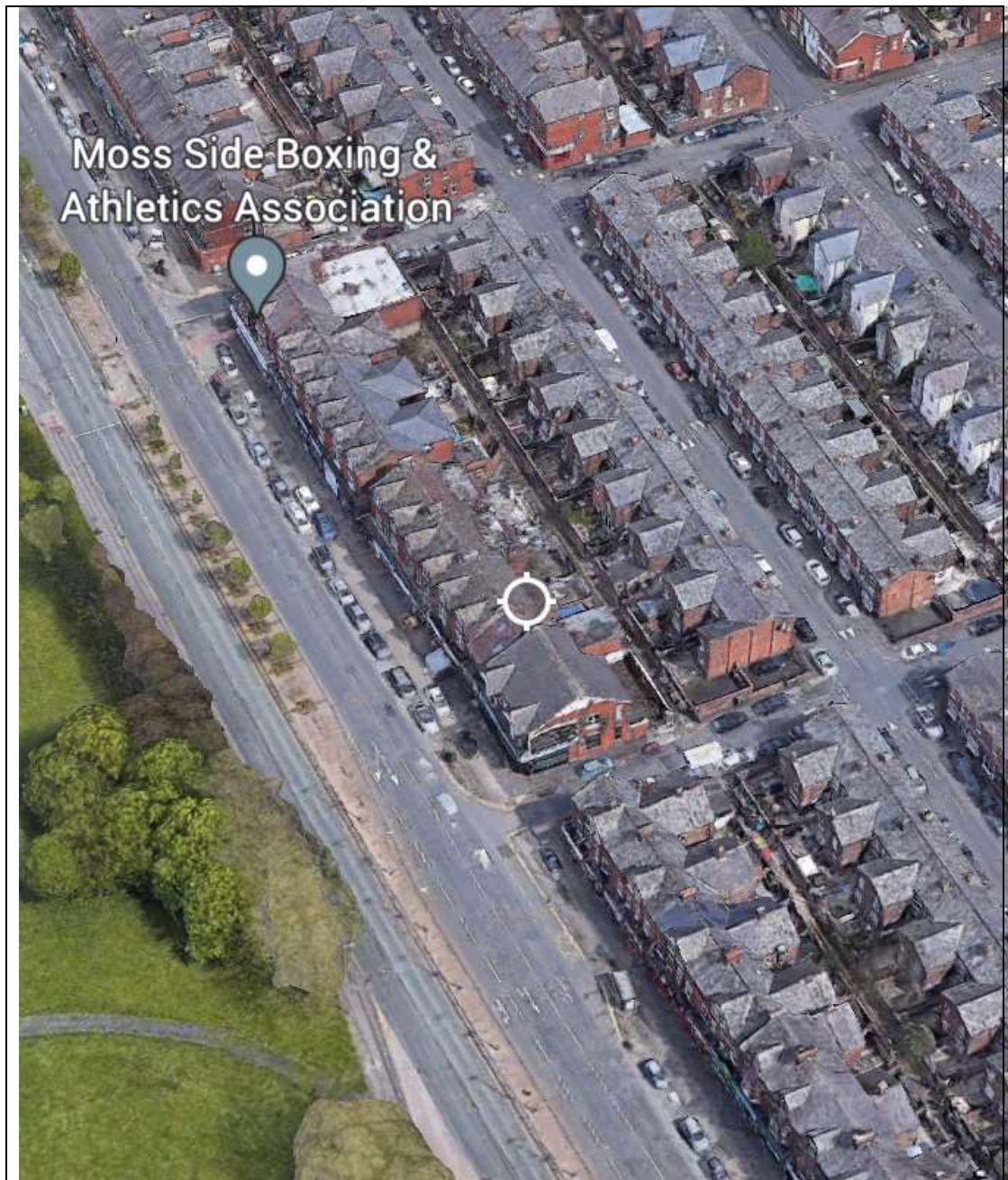
The area is known to consist of crime and disorder and refusing entry to the premise in this area may be challenging. The applicant has no training on preventing underage sales, proxy sales or refusing a sale. As such LOOH have concerns that the event may attract young people in the area and result in underage age sales taking place.

The licensing and Out of hours team and Greater Manchester police are currently investigating ongoing issues in the direct area linked to street drinking, noise nuisance and anti-social behaviour

There is no premise licence in place and the applicant does not hold a personal licence. LOOH have concerns that the applicant has insufficient experience or training to refuse sales of alcohol, challenge drunkenness, address instances of any nuisance and manage dispersal.

The surrounding area consists of mainly residential properties with the nearest property only 3 meters away. LOOH have concerns that the proposed event until 04:00am will result in a public nuisance from loud music and raised voices.





Recently a neighbouring premise was authorised to conduct a temporary event notice. This consisted of a reduced number of attendees and a finish time of 00:00am. Greater Manchester Police witnessed this event whilst conducting a patrol in the area and found that the event had attracted in excess of 300 attendees where street drinking, loud music and raised voices were taking place resulting in a nuisance in the area where it was evident that the applicant had lost control and was unable to manage the event.

Due to the reason of the event and other celebrations/ events ongoing in the area the Licensing and out of Hours team feel that this event is not suitable for this location and the concerns of public safety, public nuisance, crime and disorder and the protection of children from harm outweighs the requirement of this event to take place. As such the Licensing and out of hours Team recommend that the application is refused.

Recommendation:

Refuse Application

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

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