



Licensing Sub Committee Hearing Panel

Date: Monday, 31 July 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 - Connolly, Andrews and T Judge

Agenda

1. Urgent Business

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

2. Appeals

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

3. Interests

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

4. Application for a New Premises Licence - Panacea, Basement, Ridgefield House, 14 John Dalton Street, Manchester, M2 6JR 5 - 66

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

5. Application for a New Premises Licence - First Time Pizza, 8a Lane End Road, Manchester, M19 1WA 67 - 150

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

6. Application for a Premises Licence Variation - The Red Lion Hotel, 530-532 Wilmslow Road, Manchester, M20 4BT 151 - 244

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

7. Application for a New Premises Licence - Sweet!, 9 Stevenson Square, Manchester, M1 1DB 245 - 302

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, 21 July 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 – 31 July 2023

Subject: Panacea, Basement, Ridgfield House, 14 John Dalton Street, Manchester, M2 6JR - App ref: Premises Licence (new) 287310

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: 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:

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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.
- 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 18/04/2023, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Panacea, Basement, Ridgefield House, 14 John Dalton Street, Manchester, M2 6JR 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 Thistle Property Holdings Group Ltd.
- 2.3 The description of the premises given by the applicant is Restaurant and Bar.
- 2.4 The proposed designated premises supervisor is Lauro Andre Carvalho Macedo.
- 2.5 **The licensable activities applied for:**

Provision of regulated entertainment (live music, recorded music, performances of dance) (indoors):
Mon to Sat 11am to 4am, Sun 11am to 2am

Provision of late night refreshment:
Mon to Sat 11pm to 4:30am, Sun 11pm to 2:30am
The provision of late night refreshment will take place indoors.

The supply of alcohol for consumption on the premises only:
Mon to Sat 11am to 4am, Sun 11am to 2am

Opening hours:
Mon to Sat 11am to 4:30am, Sun 11pm to 2:30am

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 with the application form at **Appendix 5**:

- Plan of the premises

3. **Relevant Representations**

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

Responsible Authorities:

- Greater Manchester Police;
- MCC Licensing and Out of Hours Compliance Team;

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	The operating schedule 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	Refuse

	about how the premises will be operated and that all 4 of the Licensing Objectives will be undermined.	
Licensing and Out of Hours Compliance	The operating schedule submitted with the application is minimal and not at a level expected for premises wishing to operate for over fifteen hours a day, six days a week with a terminal hour of 04:30. Given what has been offered, it is likely that the Licensing Objectives will not be upheld.	Refuse

3.3 No conditions have been proposed by objectors.

3.4 No agreements on conditions have been reached.

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 New Information

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

4.3 Hearsay Evidence

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

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

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

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

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

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

4.5 **Manchester Statement of Licensing Policy**

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

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

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

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

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

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS4 Prevent the use of illegal drugs, new psychoactive substances (NPS) and the spiking of drinks at the premises
- MS8 Prevent noise nuisance from the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

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.**

Panacea
 Basement, Ridgefield House, 14 John Dalton Street,
 Manchester, M2 6JR
 Premises Licensing
 Manchester City Council

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PREMISE NAME:	Panacea
PREMISE ADDRESS:	Basement, Ridgefield House, 14 John Dalton Street, Manchester, M2 6JR
WARD:	Deansgate
HEARING DATE:	31/07/2023

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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 THISTLE PROPERTY HOLDINGS GROUP 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			
PANACEA. Basement Ridgefield House 14 JOHN DARTON Street			
Post town	MANCHESTER	Postcode	M26 3R
Telephone number at premises (if any)		T.B.C.	
Non-domestic rateable value of premises		£ 68,000	

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		<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <i>N/A</i> </div>			
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)					
<u>H/A</u>					
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	THISTLE PROPERTY HOLDINGS GROUP LTD
Address	12 SILVER STREET WAKEFIELD WF1 10Y
Registered number (where applicable)	11844778
Description of applicant (for example, partnership, company, unincorporated association etc.)	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
15	11	11

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)

RESTAURANT & BAR.
SERVING FOOD.

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 checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

Not required: Confirmed by applicant.



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



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




In all cases complete boxes K, L and M


A

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

B

Films Standard days and timings (please read guidance note 7)			<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			
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"/>
			N/A		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)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors
Day	Start	Finish		Outdoors
				Both
Mon	11:00	04:00	Please give further details here (please read guidance note 4)	<input checked="" type="checkbox"/>
Tue	11:00	04:00		
Wed	11:00	04:00	State any seasonal variations for the performance of live music (please read guidance note 5)	
Thur	11:00	04:00		
Fri	11:00	04:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)	
Sat	11:00	04:00		
Sun	11:00	02:00		

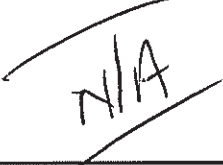
F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors
Day	Start	Finish		Outdoors
				Both
Mon	11:00	04:00		Please give further details here (please read guidance note 4)
Tue	11:00	04:00		
Wed	11:00	04:00	State any seasonal variations for the playing of recorded music (please read guidance note 5)	
Thur	11:00	04:00		
Fri	11:00	04:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)	
Sat	11:00	04:00		
Sun	11:00	02:00		

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 checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	11:00	04:00	Please give further details here (please read guidance note 4)		
Tue	11:00	04:00			
Wed	11:00	04:00	State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	11:00	04:00			
Fri	11:00	04:00	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	11:00	04:00			
Sun	11:00	02:00			

H

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

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"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	23:00	04:30	Please give further details here (please read guidance note 4)		
Tue	23:00	04:30			
Wed	23:00	04:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	04:30			
Fri	23:00	04:30	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	23:00	04:30			
Sun	23:00	02:30			

On the premises: See email

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		
Day	Start	Finish		Off the premises		
				Both		
Mon	11:00	04:00	State any seasonal variations for the supply of alcohol (please read guidance note 5)			
Tue	11:00	04:00				
Wed	11:00	04:00				
Thur	11:00	04:00		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	04:00				
Sat	11:00	04:00				
Sun	11:00	02:00				

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	LAURO ANDRÉ CARNALHO MACEDO
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	169170
Issuing licensing authority (if known)	SALFORD City Council.

K

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

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	04:30	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p>
Tue	11:00	04:30	
Wed	11:00	04:30	
Thur	11:00	04:30	
Fri	11:00	04:30	
Sat	11:00	04:30	
Sun	11:00	02:30	

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)

1. No selling of Alcohol to underage People.
2. No drunk and disorderly behaviour on or off the Premises when leaving.
3. Vigilance in Preventing the use and Sale of drugs on or off the Premises in retail Areas.
4. NO VIOLENCE AND ANTI SOCIAL behavior allowed.
5. NO HARM to children.

b) The prevention of crime and disorder

CCTV System's in use & CAMERAS to monitor entrances, exits, and other parts of the Premises in order to address the Prevention of crime objective.
Well trained staff adherence to environmental health requirements, training & implementation of under age 10 checks. Staff will be trained in Asking customers to use Premises in an orderly and respectful manner & prevent drinking at the exits when leaving.

c) Public safety

Internal & external lighting fixed to promote the Public Safety objective with well trained staff adherence to environmental health requirements and implementation of under age 10 checks (challenge 25). A log book or recording System will be maintained upon the Premises in which shall be entered particulars of inspections made. These are required by Statute & Information to comply with any public safety

d) The prevention of public nuisance Areas that require the recording of such information or licensing conditions to the Premises in case taking in outside setting

Have reduction measures to address the Public nuisance objective as follows clear & prominent legible signage and notices will be displayed at the exits requesting the Public to respect the needs of nearby properties & any residential flats and to leave the Premises quietly.

e) The protection of children from harm

Challenge 25 Sign which is a relaxing strategy that encourages anyone who is over 18 but looks under 25, to carry acceptable ID (Card bearing the Pass hologram, a photographic driving licence or a passport, or military Service card), a log book will be kept on the Premises to control these checks, and make sure existing health & safety requirements are maintained for the staff and the Public.

Checklist:

Please tick to indicate agreement

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

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

	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	[REDACTED]
Date	29/3/23
Capacity	ASSOCIATE

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	N/A -
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]			

From: [REDACTED]
 Sent: 18 April 2023 10:08
 To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
 Subject: RE: Premises licence application reference 287310/PW5:Panacea, Basement, Ridgfield House, 14 John Dalton Street, Manchester, M2 6JR NOT CURRENTLY ACCEPTED

Patrick

Alcohol will only be for consumption on the premises.

Regards

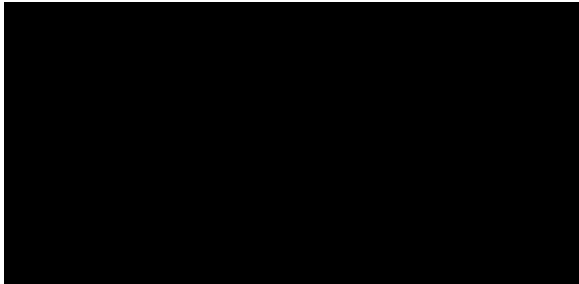
[REDACTED]

Associate

Consent of individual to being specified as premises supervisor

I LAURO ANDRE GARVALHO MACEDO
[full name of prospective premises supervisor]

of



[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

PREMISES LICENCE APPLICATION
[type of application]

by

THISTLE PROPERTY HOLDINGS GROUP LTD.
[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

PANA CEA
Basement
Ridgefield House
14 JOHN DALTON Street Manchester M2 6JR.

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

TRISTAR PROPERTY HOLDINGS GROUP LTD.
[name of applicant]

concerning the supply of alcohol at

PALACEA
Basement
Ridgefield House
14 JOHN DALTON STREET
MANCHESTER M2 6SR.
[name and address of premises to which application relates]

I also 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, details of which I set out below.

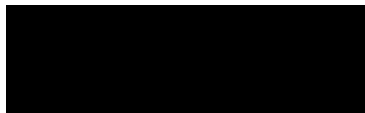
Personal licence number

169170
[insert personal licence number, if any]

Personal licence issuing authority

SALFORD CITY COUNCIL
[insert name and address and telephone number of personal licence issuing authority, if any]
CNIC CENTRE
CHARLEY ROAD
SALFORD M27 5AW

Signed



Name (please print)

LAURO ANDRE CARVALHO MACEDO

Date

13/4/2023

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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 - REPRESENTATION

About You

Name	PC Alan Isherwood
Address including postcode	1 st Floor Manchester Town Hall Extension Lloyd Street Manchester
Contact Email Address	alan.isherwood@gmp.police.uk
Contact Telephone Number	0161 856 6017

About the Premises

Application Reference No.	LPA 287310
Name of the Premises	Panacea
Address of the premises including postcode	Basement, Ridgefield House, 14 John Dalton Street, Manchester M2 6JR

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

Premise Details

Application Ref No	287310
Name of Premises	Panacea
Address	Basement, Ridgefield House, 14 John Dalton Street, Manchester, M2 6JR

Representation

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

The Licensing and Out of Hours Team (LOOH) have assessed the likely impact of the granting this application taking into account a number of factors, including the nature of the business, size of the premise and the ability to uphold the four licensing objectives.

The premises is located on John Dalton Street close to Deansgate. The surrounding area is a mix of commercial properties including, restaurants, late night licensed premises and offices.

The operating schedule submitted with this application is minimal and not at a level LOOH would expect for a premises wishing to operate for over fifteen hours a day, six days a week with a terminal hour of 04:30.

The Councils Statement of Licensing policy states that conditions offered shall be appropriate for the promotion of the licensing objectives, we do not feel that the objectives will be upheld given the operation model of this business and what has been offered.

We therefore recommend that this application is refused.

In the event the application goes through to a hearing, I reserve the right to include additional information to support my application.

Recommendation: Refuse Application

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. No selling of alcohol to underage people. 2. No drunk and disorderly behaviour on or off the premises when leaving. 3. Vigilance in preventing the use and sale of drugs on or off the premises in retail areas. 4. No violence and anti-social behaviour allowed. 5. CCTV system in use and cameras to monitor entrances, exits and other parts of the premises. 6. Well trained staff adherence to environmental health requirements, training and implementation of underage ID checks (Challenge 25). 7. Staff will be trained in asking customers to use premises in an orderly and respectful manner and prevent drinking at the exits when leaving. 8. Internal and external lighting fixed to promote the Public Safety objective. 9. A logbook or recording system will be maintained on the premises in which shall be entered particulars of inspections made. 10. Clear and prominent legible signage and notices will be displayed at all exits requesting the public to respect the needs of nearby properties and any residential flats and to leave the premises quietly. 11. Challenge 25 sign: Acceptable ID will be a card bearing the PASS hologram, a passport, photographic driving licence or military service card. A logbook shall be kept on the premises to control these checks. 	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
No conditions proposed.	N/A	N/A

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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
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 31 July 2023

Subject: First Time Pizza, 8a Lane End Road, Manchester, M19 1WA - App ref: Premises Licence (new) 289170

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: Didsbury East

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: 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. **Introduction**

- 1.1 On 13/06/2023, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of First Time Pizza, 8a Lane End Road, Manchester, M19 1WA in the Didsbury East 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,
- 1.4 therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.5 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. **The Application**

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Taman Barzinji.
- 2.3 The description of the premises given by the applicant is : Takeaway
- 2.4 **The licensable activities applied for are:**

Provision of late night refreshment:

Mon to Sun 11pm to 1am

The provision of late night refreshment will take place indoors.

Non standard times :

- From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
- An additional hour on the evenings preceding a Bank Holiday.

Opening hours:

Mon to Sun 8am to 1am

Non standard times :

- From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
- An additional hour on the evenings preceding a Bank Holiday.

2.4.1 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.

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

2.5 **Activities unsuitable for children**

2.5.1 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.

2.6 **Steps to promote the licensing objectives**

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

2.6.2 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**.

2.7 **Further documentation accompanying the application**

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

3. **Relevant Representations**

3.1 A total of 13 relevant representations were received in respect of the application (**Appendix 3**).

3.2 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 Neighbourhood development team

Other Persons:

- Residents (x12).

3.3 Summary of the representations:

Party	Grounds of representation	Recommends
MCC Neighbourhood Team (NDT)	NDT objected to the application based on the grounds that the area already has a number of takeaways which has had a negative impact in the community in relation to litter, waste management and illegal parking. NDT state that there are also safety concerns with the parking and congestion in the area which leads to traffic jams and unsafe driving.	No recommendation stated
Residents (x12)	Residents objected to the application based on the grounds that the area the proposed premises is situated in, is saturated with food led premises. Residents state that the addition of a new food premises will lead to an exacerbation of current issues affecting the area, namely a further increase in waste, litter, infestation of vermin, anti social behaviours and traffic congestion in the area.	Refusal

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

3.5 Agreements on conditions have been not been reached with any party

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
- MS8 Prevent noise nuisance from the premises
- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and

adequate arrangements for the secure and responsible storage of refuse

MS11 Ensure the wellbeing of children on the premises

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.**

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First Time Pizza
8a Lane End Road, Manchester, M19 1WA
Premises Licensing
Manchester City Council

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PREMISE NAME: First Time Pizza

PREMISE ADDRESS: 8a Lane End Road, Manchester, M19 1WA

WARD: Didsbury East

HEARING DATE: 31/07/2023

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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 Taman Barzinji

(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 First Time Pizza, 8 Lane End Road Burnage			
Post town	Manchester	Postcode	M19 1WA
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£9,500	

Part 2 - Applicant details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership please complete section (B)
- ii as a partnership (other than limited liability) please complete section (B)
- 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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Barzinji			First names Taman		
Date of birth [REDACTED]		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes			
Nationality British					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)	[REDACTED]				
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)					
N/A copy passport enclosed with application.					

~~**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 _____
Address _____
Registered number (where applicable) _____
Description of applicant (for example, partnership, company, unincorporated association etc.) _____
Telephone number (if any) _____

E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
1	2	0	7	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 will operate as a takeaway facility whose licensable activities will be limited to late night refreshment only, between the hours of 23:00 and 01:00.

The premises will trade as First Time Pizza.

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

N/a

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

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

€

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) _____ <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) _____
	_____	_____	
Tue	_____	_____	
	_____	_____	
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	_____	_____	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) _____ _____ _____		
	-----	-----			
	_____	_____			
Fri	_____	_____			
	-----	-----			
	_____	_____			
Sat	_____	_____			
	-----	-----			
	_____	_____			
Sun	_____	_____			
	-----	-----			
	_____	_____			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both — please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
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			
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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23:00	01:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	23:00	01:00			
Wed	23:00	01:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23:00	01:00			
Fri	23:00	01:00	<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) <ul style="list-style-type: none"> • From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. • An additional hour on the evenings preceding a Bank Holiday. 		
Sat	23:00	01:00			
Sun	23:00	01:00			

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 type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) _____		
Mon	_____	_____			
	_____	_____			
Tue	_____	_____			
	_____	_____			
Wed	_____	_____			
	_____	_____			
Thur	_____	_____	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	_____	_____			
	_____	_____			
Sat	_____	_____			
	_____	_____			
Sun	_____	_____			
	_____	_____			

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

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

K

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

N/A

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p>State any seasonal variations (please read guidance note 5)</p> <ul style="list-style-type: none"> • From the end of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day. • An additional hour on the evenings preceding a Bank Holiday.
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>
Mon	08:00	01:00	
Tue	08:00	01:00	
Wed	08:00	01:00	
Thur	08:00	01:00	
Fri	08:00	01:00	
Sat	08:00	01:00	
Sun	08:00	01:00	

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)

Please refer to the Operating Schedule attached to this application.

b) The prevention of crime and disorder

Please refer to the Operating Schedule attached to this application.

c) Public safety

Please refer to the Operating Schedule attached to this application.

d) The prevention of public nuisance

Please refer to the Operating Schedule attached to this application.

e) The protection of children from harm

Please refer to the Operating Schedule attached to this application.

Checklist:

Please tick to indicate agreement

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

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

	service which confirmed their right to work (please see note 15)
Signature	Kuit Steinart Levy LLP
Date	13.06.2023
Capacity	Solicitors and Authorised Agent

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)			
Kuit Steinart Levy LLP 3 St Mary's Parsonage			
Post town	Manchester	Postcode	M3 2RD
Telephone number (if any)	[REDACTED]4		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

Notes for Guidance

OPERATING SCHEDULE
First Time Pizza, 8 Lane End Road, Manchester M19 1WA

1. The premises shall operate a CCTV system that complies with the minimum requirements of the GMP Licensing Team.
2. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.
3. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
4. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
5. A first aid box will be available at the premises at all times.
6. Regular safety checks shall be carried out by staff.
7. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
8. The premises shall maintain an Incident Log (which may be kept electronically) and public liability insurance.
9. There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.
10. The exterior of the premises shall be cleared of litter at regular intervals.
11. Where the premises provides late night refreshment for consumption off the premises, sufficient waste bins must be provided at or near the exits to enable the disposal of waste and Patrons should be encouraged to use these.
12. Notices shall be positioned at the exits of the premises requesting customers to leave in a quiet manner.
13. Doors and windows at the premises are to remain closed after 11pm, save for access and egress.
14. Where deliveries are to operate from the premises, the premises licence holder must instruct delivery riders and drivers not to cause a noise nuisance when making deliveries or whilst waiting outside the premises for collections.
15. All takeaway packaging and wrappers shall clearly identify the premises, i.e. by way of company logo or name.
16. The emptying of bins into skips, deliveries to the premises and refuse collections will not take place between 11pm and 7am.

MCC Neighbourhoods Team

From: Mandy Salmon [REDACTED]

Sent: 10 July 2023 17:11

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

Cc: [REDACTED]

Subject: Licence Application for First Time Pizza, 8 Lane End Road, Burnage

Dear Colleague

I would like to make a representation in relation to the premises licence application for First Time Pizza, 8 Lane End Road, M19 1WA.

I am the Neighbourhood Manager for Burnage, Didsbury East and Didsbury West and have a good working knowledge and experience of the area. This area already has a number of takeaways which has a negative impact in the community in relation to litter, waste management, inconsiderate and illegal parking. The number of takeaways on Lane End Road include:

Miami Chicken

Beirut Shawarma

Subway

Man Chu Wok

Miami Chicken, 17 Lane End Road which is opposite to the proposed First Time Pizza has caused the South Neighbourhood Team and local councillors huge concerns in regard to the daily complaints that we receive. This problem has been occurring for the past 12 months.

Miami Chicken operates from 11.00 am - 11.00 pm and has a high footfall of customers. The takeaway is busy all day and generates lots of litter. Due to the amount of litter that is being generated I arranged for an additional litter bin to be installed on Lane End Road to increase the capacity from 4 to 5. Even though an additional litter bin has been installed, all the bins are overflowing every day and large amounts of side waste are located at each of the bins.

Even though the bins are being emptied daily and a daily cleanse is carried out, there are huge amounts of litter from customers using the takeaway. We receive at least 10 complaints per week about the littering in the area and this is via residents and local councillors from Burnage and Didsbury East wards.

I have requested WISE Enforcement Officers to visit the area, however, they are only able to visit once a week because they cover the whole of the city.

There are huge safety concerns with the parking congestion and illegal parking occurring on Lane End Road. I have witnessed myself, drivers pulling up at the traffic lights on Lane End Road and leaving their vehicles to go into the takeaway. This in turn causes a traffic jam and cars trying to overtake into the right-hand lane to make a left turn onto Burnage Lane which is extremely dangerous.

There is limited parking in the area for customers and the introduction of a new takeaway into the area will exacerbate the problem.

Community tensions are already high and we have received comments from residents and councillors opposing this new takeaway which I am happy to forward onto you.

There have been discussions on the Facebook Group called Bin It In Burnage with 260 members who are all against a further takeaway opening on Lane End Road.

If you require any further information, please let me know.

RES 1

From: "[REDACTED]" To:

licensing.premises@manchester.gov.uk Cc: [REDACTED]

Sent: Thursday, 6 Jul, 23 At 18:19

Subject: Lane End Road new premises (objection) First time pizza

I wish to object to the application for my reasons are as follows, we have in the vicinity of a quarter of a mile radius Miami Chicken 17 Lane end Road right across the road causing lots of issues for local neighbours double parking outside the shop rubbish just tossed all over have a look at the facebook group Bin it in Burnage for photos of Miami chicken detritus bringing rats and other vermin, next door to Miami is Subway two doors down from Subway 11 Lane End Road is Beirut Shawarma 9 Lane End Road across the road is The Manchu Wok 4-6 Lane End Road around the corner two seconds away is Luigis Pizza and The Tandoori Royale,

Do you not think there is an oversaturation of fast food outlets already. I thought Manchester City Council were trying to stop childhood obesity and promote healthy eating ? I dont hold out much hope that this will be rejected as work has already started on the building.

Yours

[REDACTED]

RES 2

From: [REDACTED]

Sent: Thursday, July 6, 2023 7:31:34 PM

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

Subject: Reference: 289170/AM2

Dear Sirs,

We have got two pizza shop already. My objection is trash as can be seen every morning from Miami Crisp. Also it's too near the lights and customers double parked could cause an accident. In view of this I object strongly as you have not resolved Miami liter and double parking problems. Once you have resolved these issue I might withdraw my objections.

[REDACTED]

RES 3

From: [REDACTED]

Sent: Thursday, July 6, 2023 9:59:05 PM

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

Subject: 289170/AM2

To whom it may concern

289170/AM2

I am objecting to the above planning application as I believe that another premises such as risk will cause further public nuisance.

The stretch of road is currently saturated with takeaways and patrons of the close by miami chicken double park on the road causing a traffic nuisance. The littering around lane end road and vicinity has been reported to the council on several occasions and there is now a problem with rats in the surrounding areas. people park up constantly to eat take away and dump the litter outside the cars constantly while some have also taking to defecate in the good entrance at tesco. While the owners of the takeaways may tidy up around lane end this does not extend to the surrounding areas and burnage Lane is usually littered most mornings. [REDACTED] and have never seen it as bad as it is now that is why I am objecting to this application, I wonder if this would be considered if this was in your backyard

[REDACTED]

RES 4

From: [REDACTED]

Sent: 07 July 2023 22:27

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

Subject: Proposed Licensing/premises Lane End Road Burnage M19

I have been informed that there is an application in for the above premises. The concerns of residents are, this is a residential family area. Parking along Lane End Road is currently a nightmare with the amount of busy takeaways. Cars are parked on double yellow lines whilst customers hang around for takeaways. MCC are already aware of this.

Also residents are concerned about any anti social behaviour problems that may be brought into the area.

Lane End Rd is saturated with takeaways there is a severe problem with litter on pavements thrown in residents gardens. MCC are also aware of this as residents are always reporting it. Vermin have also been seen.

Also the Notice on the premises states open until 1am? This will cause havoc with residents nearby disturbing sleeping and most have children.

As residents we do not feel it is an adequate location for this type of business. Built up area etc.

Anne

From: [REDACTED]

Sent: 11 July 2023 20:09

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

Subject: Proposed Food Outlet Lane End Rd Burnage

FAO Ashia Maqsood

Attached photos taken of Lane End Rd Burnage. This is every morning our residents wake up to this. It's not a "one off".

There are now rats running freely in our streets. This is why as residents we don't want another food outlet.

[REDACTED]





RES 5

From: [REDACTED]

Sent: 08 July 2023 14:24

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

Subject: Having great concerns about Miami Chicken opening Another shop on lane end road burnage m19. The traffic is terrible at the minute with the double parking and they are ignoring double yellow lines , they do not accept anything other than CASH. And t...

Sent from my iPhone

RES 6

From: [REDACTED]

Sent: 08 July 2023 17:07

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

Subject: Miami chicken takeaway

Good afternoon

I would like to report my concerns about the plans for a second Miami Chicken takeaway opening on Lane end Road in Burnage. The amount of rubbish is creates in the area is absolutely appalling, cars are abandoned with their hazard lights on blocking the road and the general congestion in the area makes it an undesirable place to be. [REDACTED] I have come to hate where I live! It is absolutely a public nuisance.

I also find it very strange that a fast food takeaway which is busy all day and all night long and operates in a cash only basis can report such a low income to the HMRC. I will also be contacting the tax office to raise this concern.

I wish for this to be passed on as comments opposing granting this licence.

Yours faithfully

[REDACTED]

RES 7

From: [REDACTED]

Sent: 10 July 2023 16:46

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

Subject: First Time Pizza M19 1WA

With reference to the planning application at 8 Lane End Road, Burnage. Can I register my objections in the strongest terms, a brief visit to the area would demonstrate that we are awash with fast food outlets.

We are already coping with horrendous traffic and outrageous parking, not to mention rubbish from Miami Chicken.

Regards [REDACTED]

RES 8

From: [REDACTED]

Sent: 10 July 2023 17:41

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

Cc: [REDACTED]

Subject: licence premises objection.

Dear Sir/Madam

I am emailing on behalf of local residents and to give our objection to "Miami Chicken" opening another premises on "Lane End Rd Burnage Manchester 19". If granted permission it would be opening opposite the current "Miami Chicken"

Granting the application would affect the four licensing objectives below.

The prevention of Crime and Disorder, Public Safety, The Prevention of Public Nuisance, The Protection of Children from Harm.

There have been dangerous parking at traffic lights by customers on Lane End Rd due to "Miami Chicken" customers parking leaving the hazard lights on in an illegal place when they go to collect food.

Endangering life of other drivers by illegal parking of Miami customers.

Breaking parking laws to which Manchester City Council has placed double yellow lines.

Traffic Congestion.

Customers arguing when queuing outside use of foul language. Huge queues blocking local residents passing.

Litter being thrown out of car windows with bags labelled Miami Chicken.

Public Nuisance this has been unacceptable due to litter bags with "Miami Chicken" on being dumped everywhere locally it has now caused a "rat infestation" in the area for the local residents. Manchester City Council have been notified pest control are aware. Miami Chicken customers eat the food in the cars which are parked from Lane End Rd Burnage down to the Albion Public House, all the way cars are parked up constantly with loud music. The left over food is then left on the pavement in the bag attracting the rodents.

A local residents cat has come into her home with a live rat endangering her own children.

The area has become a living nightmare for local residents the local community have made numerous complaints to local authority. If "Miami Chicken" Open another premises our local community it will massively enhance the crime disorder, public nuisance, endangerment of public health. The environmental health are to be informed of this ongoing situation the local residents and community are living with.

I invite any one of you to visit the area any evening and you will see for your own information. The local residents and area do not want another Miami Chicken or any more food take aways, restaurants.

I would like to end with local residents have even been going out in groups picking up the litter from food bags labelled " Miami Chicken" on a daily basis as locals have pride in there area to no avail 2 hours later for it to be full of litter again is soul destroying. Local residents are going to local papers and news as Miami Chicken has been in the local news about the queues in the area.

If you require any further information please don't hesitate to contact me.

Please hear the voice of the residence of Burnage.

Kind Regards



Local Burnage Resident.

RES 9

From: [REDACTED]

Sent: Monday, July 10, 2023 7:25:00 PM

To: [REDACTED]

Subject: Objections to further take away on Lane End Rd Burnage

To Councillor B. Craig

I am writing to you to day to inform you of my strong objections against any further take a ways on or near Lane End Rd.

as a concerned and greatly upset resident of burnage. My reasons against are many and are listed below.

1. The amount of traffic on and around Lane Rd.
2. Double parking outside Miami Crispy, on double lines and at traffic lights, increasing congestion and the possibility of an accident
3. Litter everywhere in the neighbourhood
4. Obvious increase in vermin, due to food and litter being discarded in the neighbourhood
5. Customer facilities not available as I have had to witness men urinating on the road side, beside their vehicles.

I would like this objection to be taken seriously and for the council to rule against any further take a ways or businesses in connection to food outlets or Miami crispy.

Yours faithfully

[REDACTED]



RES 10

From: [REDACTED]

Sent: 10 July 2023 21:02

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

Subject: Miami chicken lane end rd

To whom it may concern,

I would like to register my objection at Miami Chicken being allowed to open yet another shop only yards from their existing one on Lane end rd in Burnage.

As a resident in the local area I find the sheer amount of litter extremely bad.

We are now faced with evidence of a rat infestation in our local community which are starting to come ever close to invading our homes.

There is no consistency to any effort made to clear the food waste that is left the full length of burnage lane.

I have even had food thrown over into my garden which has landed on clean washing on my washing line.

Also there are vast amounts of young men that this shop is attracting in cars which park wherever they like, blocking the left turn at the traffic lights and also neighbours driveways.

People come and park down the close in which I live eat and then throw their litter out of the car.

It is extremely important that my teenage children should be able to go to and from school and also any other local shops without being intimidated by crowds of undesirable customers

I would really look forward to some feedback about this situation.

Many thanks

[REDACTED]

From: [REDACTED]

Sent: 10 July 2023 21:05

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

Subject: Photos re Miami chicken

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

To whom it may concern.

Please find attached photos to give you a small insite to the food waste/littering problem we have enduring due to Miami chicken on lane end rd burnage.

Many thanks

██████████













RES 11

From: [REDACTED]

Sent: 10 July 2023 21:19

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

Subject: Premise on Lane End Rd

Good evening

I am sending this email to object the planning application that has been applied to the shop which is empty on Lane End Rd. Previously Chicken cottage, reasons being the litter that is throw around the streets of the local area by the customers from Miami chicken is disgusting and depressing. I am part of a local litter picking group, and are out collecting litter practically daily, however am fighting a losing battle. Twice this weekend I have witnessed cars just dumping bags on the streets and driving off.

Not only this but the customers of Miami chicken constantly park in double yellow lines from the traffic lights down to kingsway, this is very dangerous and will cause an accident eventually.

I do hope you take this object seriously and I await your response.

Kind regards

[REDACTED]

RES 12

From: [REDACTED]
Sent: 11 July 2023 18:09
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Fwd: Application for Taman Barzinji

To whom it may concern.

We have been alerted to a notification of an application for a further premises licence (First Time Pizza) at Lane End Road. We live on [REDACTED], [REDACTED] these premises. There are already multiple take away outlets on this very small stretch & we cannot be expected to accept yet another one. Since the opening of Miami Crispy, across the road from the proposed pizza takeaway, there has been a very significant increase in traffic, parking along yellow lines, on the lane of the traffic lights directly outside Miami Crispy thus causing congestion & potential for accidents & much road rage coming from the occupants of the cars & passing vehicles frustrated at the selfishness of the customers of Miami Crispy's disregard for any parking regulations. There is also a lot of traffic parked at the yellow lines on Burnage Lane, vehicles directly attributed to Miami Crispy. In addition to this is the enormous amount of litter that this takeaway generates, this has been well documented with photos provided by the locals affected by this nuisance. I am more than happy to provide video evidence of this, you can attend any day or night & witness any number of incidents as described above. Any addition to the sheer number of takeaways in this small area would bring more misery to the local residents of Burnage so please do not approve this application. Thanks & regards, [REDACTED]

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

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<p>1. The premises shall operate a CCTV system that complies with the minimum requirements of the GMP Licensing Team.</p> <p>2. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.</p> <p>3. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.</p> <p>4. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.</p> <p>5. A first aid box will be available at the premises at all times.</p> <p>6. Regular safety checks shall be carried out by staff.</p> <p>7. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.</p> <p>8. The premises shall maintain an Incident Log (which may be kept electronically) and public liability insurance.</p> <p>9. There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.</p> <p>10. The exterior of the premises shall be cleared of litter at regular intervals.</p> <p>11. Where the premises provides late night refreshment for consumption off the premises, sufficient waste bins must be provided at or near the exits to enable the disposal of waste and Patrons should be encouraged to use these.</p> <p>12. Notices shall be positioned at the exits of the premises requesting customers to leave in a quiet manner.</p> <p>13. Doors and windows at the premises are to remain closed after 11pm, save for access and egress.</p>	N/A	Applicant

Schedule of Licence Conditions

<p>14. Where deliveries are to operate from the premises, the premises licence holder must instruct delivery riders and drivers not to cause a noise nuisance when making deliveries or whilst waiting outside the premises for collections.</p>		
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<p>15. All takeaway packaging and wrappers shall clearly identify the premises, i.e. by way of company logo or name.</p>		
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<p>16. The emptying of bins into skips, deliveries to the premises and refuse collections will not take place between 11pm and 7am.</p>		
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 31 July 2023

Subject: The Red Lion Hotel, 530-532 Wilmslow Road, Manchester, M20 4BT - App ref: Premises Licence variation 289220

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: 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.
- 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 14/06/2023, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of The Red Lion Hotel, 530-532 Wilmslow Road, Manchester, M20 4BT 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 JW Lees and Co Brewers Ltd 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

Vary the layout of the licensed area in accordance with the plan submitted with the application.

The proposed variation is resubmission of the licensing plan to

- 1) include the garden in the licensed area and
- 2) to detail the location of a temporary outdoor bar servery for occasional use.

No changes to licensed hours or activities are sought.

- 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 6**.

3.5 **Further documentation accompanying the application**

3.5.1 The applicant has submitted the following documents in support of their application, which are included with the application form at **Appendix 4**:

- Plan

4. **Relevant Representations**

4.1 A total of 11 relevant representations were received in respect of the application (**Appendix 5**). 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.

Other Persons:

- Withington & Didsbury West Ward Councillors;
- Business x 1;
- Residents x 8.

4.2 Summary of the representations:

Party	Grounds of representation	Recommends
Withington Ward Councillors	Concerns regarding the temporary nature and how outside area will be utilised.	Grant with conditions
Didsbury West Ward Councillor	Concerns regarding increase in already unacceptable levels of noise nuisance. Suggestion that the use of outdoor space should be restricted to before 10pm.	Refuse
Local business	Concerns regarding anti-social behaviour and noise nuisance affecting nearby residents.	Refuse

Residents (x8)	Concerns regarding increased anti-social behaviour and noise nuisance affecting nearby residents. Concerns regarding conservatory doors remaining open after 10pm and lack of information regarding the temporary nature of the proposed variation.	Refuse
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4.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 6**.

4.4 No agreements on conditions have been reached.

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 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

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

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

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

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)

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.**

The Red Lion Hotel
 530-532 Wilmslow Road, Manchester, M20 4BT
 Premises Licensing
 Manchester City Council

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PREMISE NAME: The Red Lion Hotel

PREMISE ADDRESS: 530-532 Wilmslow Road, Manchester, M20 4BT

WARD: Withington

HEARING DATE: 31/07/2023

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MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	050027
Granted	30/09/2005
Latest version	DPS Variation 269154 granted 04/02/2022

Part 1 - Premises details

Name and address of premises
The Red Lion Hotel 530-532 Wilmslow Road, Manchester, M20 4BT
Telephone number
0161 434 2441

Licensable activities authorised by the licence
<ol style="list-style-type: none"> 1. The sale by retail of alcohol*. 2. The provision of regulated entertainment, limited to: <ul style="list-style-type: none"> Exhibition of films; Indoor sporting events; Live music; Recorded music; Performances of dance; Anything similar to live music, recorded music or the performance of dance. 3. The provision of late night refreshment. <p>Occupancy: 350 persons</p> <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

The times the licence authorises the carrying out of licensable activities
--

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0900	0900	0900	0900	0900	0900	0900
Finish	0100	0100	0100	0100	0100	0100	2400
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non-standard Timings:							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							

Exhibition of films; Indoor sporting events							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0900	0900	0900	0900	0900	0900	0900
Finish	0100	0100	0100	0100	0100	0100	2400
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings: None							

Live music; Recorded music; Performances of dance							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0900	0900	0900	0900	0900	0900	0900
Finish	0100	0100	0100	0100	0100	0100	2400
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings: New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							

Anything similar to live music, recorded music or the performances of dance							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0900	0900	0900	0900	0900	0900	0900
Finish	0030	0030	0030	0030	0030	0030	2330
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings: New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							

Provision of late-night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0100	0100	0100	0100	0100	0100	2400
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings: New Year's Eve: Start 2300 Finish 0500							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0900	0900	0900	0900	0900	0900	0900
Finish	0130	0130	0130	0130	0130	0130	0030
Seasonal variations and Non-standard Timings: New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							

Part 2

Details of premises licence holder

Name:	JW Lees and Co Brewers Ltd
Address:	Greengate Brewery, Middleton Junction, Manchester, M24 2AX
Registered number:	00557225

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol

Name:	Mr Sean Ian John Lithgow
Address:	[REDACTED]
Personal Licence number:	PA0057
Issuing Authority:	Trafford Metropolitan Borough Council

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.

Supply of alcohol

2. No supply of alcohol may be made under this premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence or,
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –

- (a) a holographic mark, or
- (b) an ultraviolet feature.

5. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.

(2) For the purposes of the condition set out in (1) above–

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) “permitted price” is the price found by applying the formula–

$$P = D + (D \times V)$$

where –

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
8. The responsible person must ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

For the purposes of conditions 6, 7 and 8 above, a responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

Annex 2 – Conditions consistent with the operating schedule

1. The above time restrictions in relation to the hours for the sale of alcohol do not prohibit:
 - i. Consumption of the alcohol on the premises by, or the taking or sale or supply of alcohol to any person residing in the licensed premises;
 - ii. The taking of alcohol from the premises by a person residing there; or
 - iii. The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
2. No exhibition, demonstration or performance of hypnotism shall be given on any person at the premises except with the express consent of the City Council and in accordance with any conditions attached to such consent.
3. No entertainments likely to present special risks shall be presented unless prior consent in writing has been given by the Council.
4. The foregoing condition includes the use of:
 - i. Flammable or explosive substances;
 - ii. Pyrotechnics;
 - iii. Laser Beam;
 - iv. Naked Flame;
 - v. Dangerous animals.
5. Occupancy: 350 persons
6. All external windows and doors are to be kept closed except for emergency (fire doors) and access/ egress (non-fire doors) when the premises is open. The fire door serving the premises are to be used for that purpose only and as point of access/ egress to function rooms within the premises.
7. No external speakers shall be operated from the premises.

8. Any person exercising a security activity at the premises must clearly display their name badge at all times whilst on duty.
9. Any such person as defined in condition 78 shall only be employed at the discretion of the Designated Premises Supervisor or Premises Licence Holder.
10. No customers carrying open bottles shall be admitted to the premises at any time the premises are open to the public.
11. Where installed, tapes from the recording CCTV system shall be retained for a period of at least 30 days and made available within a reasonable time to the police on request.
12. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
13. Any reasonable requirements of the Fire Officer shall be complied with in a reasonable time.
14. Prominent, clear and legible notices shall be displayed at all exits requesting that patrons respect local residents and leave the premises and the area quietly.
15. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.

Annex 3 – Conditions attached after hearing by the licensing authority

1. No persons under the age of 18 shall be permitted to enter or remain on the premises after 2100hrs.
2. Notices to be placed at exits reminding patrons to leave quietly.
3. Taxi numbers to be prominently displayed.
4. Regular checks for inaudibility to be carried out at the nearest noise sensitive point whilst regulated entertainment is taking place.
5. Use of outside area to cease at 0000hrs Monday to Saturday and 2300hrs on Sunday, save for the use of a designated area for smoking.
6. The Premises Licence Holder shall ensure that noise shall not emanate from the premises such as to cause noise nuisance to persons in the neighbourhood. Any form of amplification shall be controlled so as to prevent such a disturbance.
7. Patrons permitted to temporarily leave and re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glassware with them after 0000hrs Monday to Saturday and after 2300hrs on Sunday.
8. Notices shall be prominently displayed at any area, where possible, used for smoking and drinking requesting patrons to not cause a public nuisance.
9. The DPS shall ensure that all external tables are cleared of all bottles and glasses on a regular basis during trading hours to avoid accumulation of glassware.

Annex 4 – Plans

See attached

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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**

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 JW Lees & Co (Brewers) LTD

(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

050027

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
530-532 Wilmslow Rd, Manchester

Post town

Manchester

Postcode

M20 4BT

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 140,000

Part 2 – Applicant details

Daytime contact telephone number		[REDACTED]	
E-mail address (optional)		[REDACTED]	
Current postal address if different from premises address		Greengate Brewery, Middleton Junction, Manchester M24 2AX	
Post town	Manchester	Postcode	M24 2AX

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 proposed variation is resubmission of the licensing plan to 1) include the garden in the licensed area and 2) to detail the location of a temporary outdoor bar servery for occasional use.

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	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
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 5)		
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			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 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"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
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 type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			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>

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)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			<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)

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.

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)

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

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	14/06/2023
Capacity	Asset Manager, JW Lees & Co (Brewers) Ltd

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)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

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.

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

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Cllr 1

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

Sent: 12 July 2023 08:40

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: Re: Premises Licence variation 289220/PW5: The Red Lion Hotel, 530-532 Wilmslow Road, Manchester, M20 4BT, (Withington ward)

Dear Patrick

I am emailing on behalf of the Withington Ward councillors regarding the above licensing application.

We greatly value the Red Lion as a community asset in Withington. However, we also recognise concerns raised by local residents regarding noise and disturbance caused by customers using the area at the back. In particular we note concerns that the Red Lion have disregarded a condition of planning permission given (130967/FO/2021). The condition is that "the bi folding doors in the conservatory shall be closed at 10.00pm daily and not be reopened again until the public house reopens the following day". We have followed this up with Planning Compliance. Whilst we appreciate that Planning matters are separate from Licensing matters, it is important this is highlighted.

We have sought clarification from the owners regarding the temporary and occasional nature of the proposed outdoor bar servery. In particular, the potential impact on prevention of crime and disorder, public safety, and prevention of public nuisance, in light of representations made by residents.

Following clarification, we have decided not to oppose this application. However our support comes with the following qualifications:

- 1) That this is a temporary measure only to be used during busy periods, to relieve pressure on staff;
- 2) That use will be dependent on the weather;
- 3) That the bar's use will purely be as needed when there is sufficient demand in the beer garden;

- 4) That the bar will not be kept open past 10pm and will not be open earlier than midday;
- 5) That there will be no further infringement of conditions around the bi folding doors being open beyond 10.00pm;
- 6) That there is renewed contact between JW Lees and local residents, with an open channel of communication so that residents can raise any concerns with them, with these concerns addressed.

We would ask that this temporary arrangement is subject to review, and in particular if further concerns are raised by the local community.

Many thanks and best wishes.

Chris

Councillor Chris Wills

Labour & Co-operative Member, Withington Ward

Lead Member for LGBT+ Men

Tel: 07970 395030

Cllr 2

From: John Leech <cllr.john.leech@manchester.gov.uk>

Sent: 12 July 2023 22:31

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

Subject: Re: Premises Licence variation 289220/PW5: The Red Lion Hotel, 530-532 Wilmslow Road, Manchester, M20 4BT, (Withington ward)

Dear Licensing

I would like to object to the above license variation.

The current arrangements for outside seating until midnight Monday to Saturday, and 11pm on Sundays, has resulted in an unacceptable level of noise and disturbance to local residents, late into the night.

The extension of the licensing area to include the outside space, will result in an intensification of the use of the outdoor space, resulting in an increase in noise and disturbance, which is at odds with the licensing objective to prevent public nuisance.

If the licensing panel were minded to approve the application, I would request that the hours of operation of the outdoor space should be restricted to 10pm, in line with other outdoor drinking areas, to protect local residents from public nuisance (noise).

Thank you

John Leech

BUS 1

From: [REDACTED] >

Sent: 12 July 2023 14:06

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

Subject: Premises Licence variation 289220/PW5: The Red Lion Hotel, 530-532 Wilmslow Road, Manchester, M20 4BT

Hi

I would like to raise an objection to the Licence Variation of The Red Lion Hotel.

I am the Regional Manager for [REDACTED]. [REDACTED] are a Registered Social Landlord and a strategic partner of Manchester City Council.

We are the owners of [REDACTED].

[REDACTED] is made up of residential flats. We have had a number of issues with patrons from the Red Lion Hotel over the years causing Anti-Social Behaviour. This has resulted in residents being caused harassment, alarm and distress.

We are objecting to the Licence Variation as the noise nuisance is already high and extending the licensed conditions to include the garden and creating an outside bar would cause further distress and nuisance and increase the noise to our residents who live only yards away.

If you would like any further information please do not hesitate to contact me.

Many thanks

[REDACTED]

[REDACTED]

[REDACTED]

RES1

From: [REDACTED] >**Sent:** 21 June 2023 16:02**To:** Matthew Callaghan <matthew.callaghan@manchester.gov.uk>; fraser.swift@manchester.co.uk <fraser.swift@manchester.co.uk>**Cc:** Premises Licensing <Premises.Licensing@manchester.gov.uk>; Helen Howden <helen.howden@manchester.gov.uk>**Subject:** Fwd: FW: Premises Licence variation 289220/PW5: The Red Lion Hotel, 530-532 Wilmslow Road, Manchester, M20 4BT, (Withington ward)

Hello Matthew,

I hope you don't mind me getting in touch with you again. After our recent email correspondence on the 25th May regarding the Red Lion pub, Withington, setting up a bar area outside the premises, it has been brought to my attention by someone at the [REDACTED] that the pub is now applying for a 'variation' to its alcohol license to allow it to set up a bar outside the pub. This is presumably because an officer of the MCC Licensing Department visited the pub the next day and told them they were not allowed to serve alcohol outside.

Can you please tell me whether the immediate neighbours of the pub will receive their own copy of the application - via mail? Or has the been displayed on any local sign posts? Many thanks.

The concern of the residents of [REDACTED], where I live, and I presume other direct neighbours of the Red Lion, is that if the pub were allowed to sell alcohol outside the building this would further increase the noise nuisance to local residents as yet more customers are likely to sit outside and drink, particularly in warm weather, as we have had recently.

The pub went ahead and made the bowling green a beer garden, without planning permission, and since last year the number of wooden tables and benches has increased to over 50, and there is now seating capacity outside for well over 300 people.

The noise levels can become so high that - just like last year - they have blighted our lives in the summer months and have prevented us from the reasonable enjoyment of our own properties. It means we cannot open our windows in warm weather, and there is no point trying to go to bed before 1am because the pub allows rowdy and loudish drinkers to continue drinking outside the pub causing anti-social behaviour with bad language etc. This is despite the fact that the pub is meant to close the back conservatory doors at 10pm - which was a strict condition of the MCC planning approval in 2021 - and which the pub have never complied with. Last week there was even a fight in the beer garden at 25 minutes past midnight!

The brewery's variation application makes no mention of the time this open-air bar area would operate until so it could, potentially, be the same licensing hours as the inside of the pub, which is midnight.

Added to this, the wording of the variation application is decidedly vague: "**temporary outdoor bar servery for occasional use**"

It does not specify what "temporary" and "occasional use" would be. "Temporary" could be for the whole late spring and summer, and "occasional" could be virtually every day in

the week and at weekends. They do not, for example, specify a Bank Holiday, which might be acceptable.

I apologise for going on at such length, but I am sure you will understand our very reasonable concerns and the impact this could have on the pub's neighbours.

Best regards,

[REDACTED]

RES2

From: [REDACTED] >
Sent: 28 June 2023 10:23
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Premises Licence variation 289220/PW5

Hello

As a resident [REDACTED] Red Lion pub in Withington, I am submitting my opposition to the recent application made by the Red Lion Withington to set up a bar in their garden to sell alcoholic drinks which could attract rowdy customers and potentially carry on into late night. We already suffer from excessive noise during good weather when the bowling green of the pub is used as a drinking hub.
Thank you for your assistance

kind regards

[REDACTED]

RES3

Re: Premises Licence variation

Reference: 289220/PW5

Premises: The Red Lion Hotel, 530-532 Wilmslow Road, Manchester, M20 4BT

Description of variation: to vary the layout of the licensed area in accordance with the plan submitted with the application.

The proposed variation is resubmission of the licensing plan to

- 1) include the garden in the licensed area and
- 2) to detail the location of a temporary outdoor bar servery for occasional use.

No changes to licensed hours or activities are sought.

Comments of Withington Civic Society

We object to the application.

The 'beer garden' referred to is the original bowling green to the premises, dating back to at least 1897. Since it became a beer garden the number of wooden tables and benches has increased to over 50, and there is now seating capacity outside for well over 300 people.

If approved, this application would mean the pub could set up an outside bar area selling alcohol to customers without them having to even enter the premises. Under their current licence the Red Lion can only sell alcohol inside the pub and customers are only then permitted to take it outside.

The concern of Withington Civic Society on behalf of local residents is that if the pub were allowed to sell alcohol outside the building this would further increase the noise nuisance in the area as yet more customers are likely to sit outside and drink, particularly in warm weather.

We are advised that noise levels can become so high that they have blighted the lives of residents, particularly in the summer months and have prevented them from the reasonable enjoyment of their own properties. They cannot open their windows in warm weather, and there is no point trying to go to bed before 1am because the pub allows rowdy and noisy drinkers to continue drinking outside the pub causing anti-social behaviour with bad language etc. We are advised that in mid June 2023 there was even a fight in the beer garden at 12.25 am

In the Planning Authority's decision in 130937/FO/2021 at paragraph 5 it was provided:

"5) The bi folding doors in the conservatory shall be closed at 10.00pm daily and not be reopened again until the public house reopens the following day.

Reason - to limit the breakout of noise from the refurbished conservatory pursuant to Core Strategy policy DM1 and saved Unitary Development Plan policy DC26"

We understand that this strict condition of the 2021 planning approval has never been complied with.

The brewery's variation application makes no mention of the time this open-air bar area would operate until so it could, potentially, be the same licensing hours as the inside of the pub, which is midnight.

Added to this, the wording of the variation application is decidedly vague:
"temporary outdoor bar servery for occasional use"

It does not specify what "temporary" and "occasional use" would be. "Temporary" could be for the whole late spring and summer, and "occasional" could be virtually every day in the week and at weekends..

In terms of the licensing objectives we would refer to:

Public Safety (e g broken glass) – much more likely and dangerous in an outside seating area

Public Nuisance (noise & litter) – already a significant problem and likely to become much worse if the application is granted

Crime & disorder – see the comments above about rowdy behaviour

[REDACTED]

For and on behalf of [REDACTED]

Res 4

From: [REDACTED] >

Sent: 04 July 2023 22:43

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

Subject: Red Lion Planning Amendment - Licence variation 289220/PW5

Premises Licence variation 289220/PW5

I strongly object to this planned amendment to the Red Lion's licence on the grounds it will only exacerbate the already excessive noise created in the outside area at the rear of the establishment. This has been an ongoing problem for nearby residents like me who overlook the area in question. To allow this to go ahead will only make this situation more unbearable.

If the pub were granted this licence extension it would mean more and more people drinking outside during the day, when they can become rowdy, and also in to the small hours of the morning when they still allow drinkers to carry on drinking, even after they are supposed to stop customers from exiting the back of the building via the conservatory at 10pm.

Despite their licence and planning approval restrictions, the pub already completely ignores them - and the same will happen this time. To demonstrate this, the pub - and the brewery - must surely know their existing licence approval only allows them to sell alcohol inside the building. But despite this they still went ahead and built an outside bar with beer pumps without first getting approval from the licensing department at the Council. This shows they simply do not care about rules and regulations, and just ignore them.

This is another reason why this application should be rejected by the council.

[REDACTED]

RES 5

From: [REDACTED] >
Sent: 05 July 2023 12:22
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Premises Licence Variation 289220/PW5

Hello

Premises Licence Variation 289220/PW5

I am a Leaseholder at [REDACTED] [REDACTED] the Red Lion pub on Wilmslow Road and wish to raise an objection to the application to vary the Premises Licence.

Any extension to the licenced area to include external apces to the rear of the Red Lion would result in unacceptable levels of noise and disturbance upon existing and future neighbouring residential occupiers at the property, which does not appear to satisfactorily be mitigated. The proposal would be harmful to residential amenity.

The area has seen significant increases in anti-social behaviour including drug use, and rough sleepers in the grounds of [REDACTED] which has been registered as an ongoing concern with the police and housing management company - [REDACTED].

Yours faithfully
[REDACTED]

RES 6

From: [REDACTED] >
Sent: 06 July 2023 13:37
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Re licence variation 289220/PW5. Red lion.

I am the owner of a flat that [REDACTED] the Red Lion Beer Garden / as was bowling green. I understand that the brewery has applied to increase (still further!) the seating available and are planning to out in an outdoor bar and other modifications.

As I am sure you appreciate the weather when you would want your windows wide is exactly the weather you would want to be out in the beer garden. However the noise level has already risen greatly since the bowling green has been converted to beer garden and the opening hours are later and folk get merrier (especially in all day out door sessions) and this can get very wearing and disrupt sleep (for shift workers as well as 9-5 ers).

Please could you pass on our objections to the relevant folk ; we don't want to spoil others pleasure but we also don't want our peace disturbed continuously during the summer ..
Many thanks,

[REDACTED]

RES 7

From: [REDACTED] >
Sent: 09 July 2023 15:42
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Premises Licence variation 289220/PW5: The Red Lion Hotel, 530-532 Wilmslow Road, Manchester, M20 4BT, (Withington ward)

Dear Sirs

I write on behalf of [REDACTED], as agreed at our meeting on June 25th 2023.

We wish to object to the variation of licence at The Red Lion, Withington to include the beer garden in their licenced area and for the creation of a temporary outdoor bar. We consider this will undermine the licensing objective for public nuisance. Many residents in our group have been directly affected by living in close proximity to bars and Public Houses with outdoor beer gardens. Some residents have been driven to sell their home and move away because of the noise and nuisance this has caused. Fallowfield and Withington has a very high density of University students and this has led to a very imbalanced population in this neighbourhood. The problems relating to licensed premises in Fallowfield & Withington have been well documented over many years and resulted in the establishment of a Cumulative Impact Policy to try and prevent problems increasing. This policy is now under review and a draft policy is currently in the consultation phase. In this draft policy Withington is highlighted as an area requiring a Special Policy. We feel this is a necessity to protect residents.

The garden of The Red Lion is large and seating capacity could accommodate hundreds. When alcohol is consumed, voices are raised and often there is also shouting, yelling, screaming, singing and chanting. We feel that large numbers of people drinking in the beer garden will cause a disturbance to the local residents and create unacceptable public nuisance. From our experience of other beer gardens in our neighbourhood, we have noticed a recent increase in density of seating in outdoor spaces as well as a vast increase in covered areas and outdoor heating to facilitate drinking in all weathers. We feel that the use of the beer garden could become a nightmare for local residents and disturb their sleep and cause great stress and anxiety as it has on many occasions for residents in our group.

Prevention is better than cure. We urge you to refuse this application in full to protect the residential community from unacceptable public nuisance that is highly likely to arise if this application is granted.

Yours

[REDACTED]

RES 8

From: [REDACTED] >

Sent: 09 July 2023 16:38

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

Cc: [REDACTED]

Subject: Premises Licence variation 289220/PW5: The Red Lion Hotel, 530-532 Wilmslow Road, Manchester, M20 4BT, (Withington ward)

I would like to register our objection to the serving of drinks outside the designated areas of the pub.

There has been a marked increase in the amount of noise since the pub has started using the bowling green area for additional seating.

The serving of alcoholic beverages will only increase the amount of noise that we as residents are already expected to accept on [REDACTED].

I look forward to hearing from you.

Kind regards,

[REDACTED]

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

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
No new conditions offered.	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 1. That this is a temporary measure only to be used during busy periods, to relieve pressure on staff. 2. That use will be dependent on the weather. 3. That the bar's use will purely be as needed when there is sufficient demand in the beer garden. 4. That the bar will not be kept open past 10pm and will not be open earlier than midday. 5. That there will be no further infringement of conditions around the bi folding doors being open beyond 10.00pm. 6. That there is renewed contact between JW Lees and local residents, with an open channel of communication so that residents can raise any concerns with them, with these concerns addressed. 	No	Withington Ward Councillors

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 31 July 2023

Subject: Sweet!, 9 Stevenson Square, Manchester, M1 1DB - App ref: Premises Licence (new) 289087

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: Piccadilly

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

A connected city: world class infrastructure and connectivity to drive growth	
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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 09/06/2023, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Sweet!, 9 Stevenson Square, Manchester, M1 1DB in the Piccadilly ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Northern Hospitality (MCR) Limited
- 2.3 The description of the premises given by the applicant is: This is an application for a premises which has recently started trading and in respect of which no rateable value has been fixed. The premises recently opened under the name of Sweet!, being a sweet treats and ice cream emporium situated at the junction of Stevenson Square and Lever Street. The premises has the benefit of a Pavement Licence within the area facing into Stevenson Square, which is sought to form part of the licensed area. The premises principal operation is the provision of dessert style foods predominantly ice cream and ice cream creations along with cakes, waffles, pancakes etc. The premises seeks a Premises Licence to support this offer in particular the provision of alcohol tops/washes to certain ice cream or dessert offers with examples being provision of Baileys liquer over ice cream, real Rum with Rum & Raisin ice cream etc. and creative options for pancakes and waffles. The premises also seeks to be able to in addition to hot drinks, non-alcoholic drinks, alcoholic beverages to those seated in and along the pavement licence area of the premises, alcoholic drinks.
- 2.4 The proposed designated premises supervisor is John King-Wilson.
- 2.5 **The licensable activities applied for:**
- The supply of alcohol for consumption both on and off the premises:

Mon to Sun 9am to midnight

Opening hours:

Mon to Sun 8am to half past midnight

2.5.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.

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

2.6 Activities unsuitable for children

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

2.7 Steps to promote the licensing objectives

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

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

3. Relevant Representations

3.1 A total of 2 relevant representation were received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;
- MCC Trading Standards.

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	LOOH have concerns that the grant of the application, in its current form, is likely to lead to the Prevention of Crime and Disorder and the Prevention of Public Nuisance Licensing objectives being undermined. They have therefore proposed	Grant with conditions and amended/reduced plan

	<p>a number of additional conditions.</p> <p>LOOH also believe the plan submitted with the application should be amended – the current plan seeks to incorporate two areas in front of the premises which would include an area on the pavement, and on the pedestrianised area within Stevenson Square. These two areas do not fall within the extent of the boundary of the premises or form part of the building and as such should be omitted from the plan.</p>	
Trading Standards	A further condition should be added to the premises licence to ensure that the licensing objective of protecting children from harm is upheld.	Grant with conditions

- 3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.
- 3.4 Agreements on conditions have been reached with Trading Standards and Licensing an Out of Hours, however the amended plan has not yet been agreed.
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
- Proximity of takeaways and off-licences to nightlife entertainment areas
- 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
- Proximity to sensitive uses
- The availability of transport to and from the premises
- Ability to clean and maintain the street scene
- Premises in proximity to the airport

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

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

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS4 Prevent the use of illegal drugs, new psychoactive substances (NPS) and the spiking of drinks at the premises
- MS5 Prevent on-street consumption of alcohol
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS7 Maintain a safe capacity
- MS8 Prevent noise nuisance from the premises

- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

Section 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 10: Adult entertainment (including striptease, nudity and other entertainment of a sexual nature)

This section sets out specific considerations in respect of applications to provide adult entertainment, including entertainment of a sexual nature e.g. nudity, striptease and lap dancing.

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.

Section 12: Premises Licences for large-scale public events

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

5. **Conclusion**

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

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

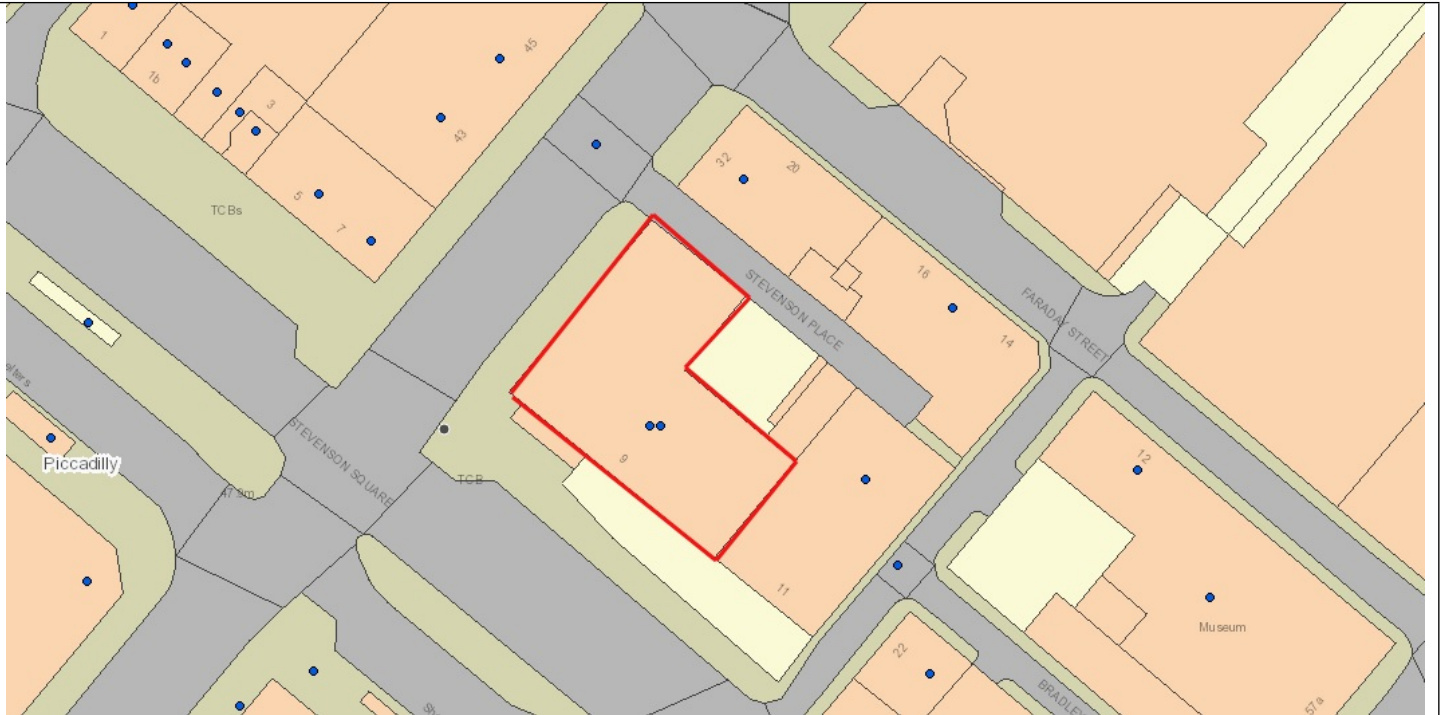
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Sweet!

9 Stevenson Square, Manchester, M1 1DB

Premises Licensing
Manchester City Council

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PREMISE NAME:	Sweet!
PREMISE ADDRESS:	9 Stevenson Square, Manchester, M1 1DB
WARD:	Piccadilly
HEARING DATE:	31/07/2023

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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.

We Northern Hospitality (MCR) Limited apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and 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	
Sweetl, 9 Stevenson Square, Northern Quarter	
Post town Manchester	Post code M1 1DB

Telephone number of premises (if any)

Non-domestic rateable value of premises

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

- | | Please tick ✓ | |
|---|-------------------------------------|-----------------------------|
| a) An individual or individuals* | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual* | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <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 | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | 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 | <input type="checkbox"/> | please complete section (B) |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (For example, Rev)

Surname First names

Date of Birth: I am 18 years old or over Please tick

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 postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

Second Individual Applicant (if applicable)

Mr Mrs Miss Ms Other title (For example, Rev)

Surname First names

Date of Birth: I am 18 years old or over Please tick

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 postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

(B) OTHER APPLICANTS

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

Name Northern Hospitality (MCR) Limited
Address Egan Roberts Unit 46, Manor Court Salesbury Hall Road Ribchester Preston PR3 3XR
Registered number (where applicable) 11663552
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?

As soon as possible

Day Month Year

A	S	A	P				
---	---	---	---	--	--	--	--

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

Day Month Year

--	--	--	--	--	--	--	--

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

N/A

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

This is an application for a premises which has recently started trading and in respect of which no rateable value has been fixed. The premises recently opened under the name of Sweet!, being a sweet treats and ice cream emporium situated at the junction of Stevenson Square and Lever Street.

The premises has the benefit of a Pavement Licence within the area facing into Stevenson Square, which is sought to form part of the licensed area.

The premises principal operation is the provision of dessert style foods predominantly ice cream and ice cream creations along with cakes, waffles, pancakes etc.

The premises seeks a Premises Licence to support this offer in particular the provision of alcohol tops/washes to certain ice cream or dessert offers with examples being provision of Baileys Liqueur over ice cream, real Rum with Rum & Raisin ice cream etc. and creative options for pancakes and waffles.

The premises also seeks to be able to in addition to hot drinks, non alcoholic drinks, alcoholic beverages to those seated in and along the pavement licence area of the premises, alcoholic drinks.

The details of the area sought to be licensed are shown on drawings numbered:-

1. GA/05-23;
2. Ext.A 05/23

deposited with this application, those areas sought to be licensed are edged in red and are principally the current café area along with the pavement area to the front of the premises.

It is proposed that the permitted hours for licensable activities for these premises are as follows:

All areas are sought to be licensed Monday to Sunday from 09:00 until 00:00 hours internally and 09:00 to 23:00 externally in relation to retail sale of alcohol to the general public with closure 30 minutes thereafter.

The premises seeks to have an evening provision.

Conditions are proposed to address the key risk area of underage sales in view of the attractive nature to children of the nature of the premises.

It is noted that new Premises Licence applications are encouraged to add a condition addressing the obligations imposed by Martyn's Law. On the basis that this premises is very small having a limited occupancy, model conditions have not been included within the operating schedule save for condition 2 requiring the DPS to attend a CT Awareness Training Session.

It is not anticipated that the proposed grant of a Premises Licence will adversely affect crime and disorder or public nuisance. The premises falls outside of the Special Policy areas and is within the Northern Quarter adjacent to Ancoats and New Islington.

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

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick yes**Provision of regulated entertainment (please read guidance note 2)**

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

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)
Tue			
Wed			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 (please read guidance note 6)
Thur			
Fri			
Sat			
Sun			

D

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

F

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

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)	Both	
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 entertainment 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	Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	
				Outdoors	
				Both	
Mon					
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 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 {Y} (please read guidance note 3).		Indoors	
Day	Start	Finish		Outdoors		
				Both		
Mon			Please give further details here (please read guidance note 4)			
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 consumption (Please tick box Y) (please read guidance note 8)	On the premises	
Day	Start	Finish		Off the premises	
Mon	09:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 5)	Both	✓
Tue	09:00	00:00			
Wed	09:00	00:00			
Thur	09:00	00:00			
Fri	09:00	00:00			
Sat	09:00	00:00			
Sun	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)	

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name: John King-Wilson

Date of Birth:

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 variation (please read guidance note 5) Please see box J above
Day	Start	Finish	
Mon	08:00	00:30	
Tue	08:00	00:30	
Wed	08:00	00:30	
Thur	08:00	00:30	Non standard timings. Where you intend to use 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)
Fri	08:00	00:30	The premises will close 30 minutes after the end of the non-standard timings identified in box J above.
Sat	08:00	00:30	
Sun	08:00	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, e) (please read guidance note 10)

Application to licence for ancillary purposes alcohol within a shop principally retailing desserts and ice cream. In view of the ancillary nature of the application it is considered that the potential risk of the four licensing objectives is limited.

The above is provided by way of explanation and not intended to convert into conditions

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed, save as below

1. In relation to the day to day operation of the premise the use of door staff will be risk assessed on an ongoing basis by the licence holder or premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
2. Alcoholic drinks may not be removed from the premises in open containers except for consumption in the hotel bedrooms or designated external areas.
3. Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.
4. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.
5. The premise will maintain an incident and refusal log which we be available to the Greater Manchester Police and the Licensing Authority upon reasonable request.
6. The Designated Premises Supervisor must have attended a CT Awareness training session delivered by CTPNW-trained personnel as soon as is reasonably practicable. In all cases, within 28 days of a new Designated Premises Supervisor being named on the Licence, they must have registered to attend a course and be able to provide evidence of this if requested by a police officer or authorised officer of Manchester City Council.
7. CCTV shall be installed with recording facilities such recordings shall be retained for a period of 28 days (except where such retention cannot be achieved due to reasonable periods of maintenance or repair) and made available within a reasonable time upon request by the police as long as the request is in accordance with data protection principles.

c) Public safety

No further risks have been identified which need to be addressed, save as below

1. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
2. At the end of trading the Pavement Licence area and front of the premise outside the premises, must be swept and/or washed, and litter and sweepings collected and stored in waste receptacles.
3. All takeaway packaging and wrappers shall clearly identify the premises, i.e. by way of company logo or name.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed, save as below

1. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
2. Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.

e) The protection of children from harm

1. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an 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.
2. The premises shall display prominent signage indicating at any point of sale that the Challenge 25 scheme is in operation.
3. The premises shall display prominent signage indicating at any point of sale that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.
4. 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.

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 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. (Please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

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

Signature.....

Date.....

Capacity.....

For **2nd applicant’s solicitor or other authorised agent** **behalf of the applicant please state in what capacity**

Signature.....

Date.....

Capacity: Solicitors.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)

	onal)

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the

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

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

ABOUT YOU		PLEASE NOTE: LICENSING OFFICERS, LICENSING COMMITTEE MEMBERS AND THE APPLICANT CAN VIEW THE INFORMATION PROVIDED ON THIS FORM
Your first name (required)	Your last name (required)	
Sonia	Cooke	
Your address including postcode (required)		
Trading Standards Service 1 Hammerstone Road Manchester M18 8EQ		
Contact email address	Contact phone no	
sonia.cooke@manchester.gov.uk	0161 219 2803	

ABOUT THE PREMISES
Application Ref No. (if known):
LPA 289087
Name of the Premises about which you would like to make a representation:
Sweet!
Address of the Premises (including postcode if known):
9 Stevenson Square, Manchester, M1 1DB

YOUR REPRESENTATION
Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)
<p>The Trading Standards Team have assessed the likely impact of the granting of this application taking into account a number of factors, including the conditions offered and times applied for and any potential risk that the granting of this application could lead to issues which do not uphold the licensing objectives specifically the protection of children from harm.</p> <p>The application is for a premises licence to allow the retail sale of alcohol and Ice cream tops containing alcohol, for consumption on the premises, and within the pavement licence area.</p> <p>When considering the application, the Trading Standards Team have given consideration to Manchester City Councils Statement of Licensing Policy 2021 – 2026.</p> <p>The original application addresses most points relating to the Licensing Objectives in protecting children from harm.</p> <p>Giving consideration to the above application, the Trading Standards Team therefore recommend that the following condition is applied to the licence:</p>

1. All staff engaged in the sale of alcohol will be trained with regards to the Challenge 25 policy and sales by proxy. This training will be documented, and training should be refreshed at no greater than 6 monthly Intervals.

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



Licensing & Out of Hours Compliance Team - Representation

Name	Gemma Smith
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	Gemma.smith2@manchester.gov.uk
Telephone Number	0161 234 1220

Premises details

Application ref no.	289087
Name of Premises	Sweet!
Address	9 Stevenson Square, Manchester, M1 1DB

Representation

The Licensing and Out of Hours Team (LOOHT) have assessed the likely impact of the grant of this application considering several factors, including the hours and activities applied for, the nature of the area in which the premises is located and any potential risk that granting the application could have on any of the four licensing objectives.

As a result of this assessment the Licensing and Out of Hours Team (LOOHT) have concerns that the grant of the application, in its current form, is likely to lead to the Prevention of Crime and Disorder and the Prevention of Public Nuisance Licensing objectives being undermined.

In reaching this decision we have given particular consideration to Manchester City Councils Statement of Licensing Policy 2021 – 2026. Specifically:

7.25 The licensing authority will ensure that due consideration is given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises as well.

7.26 The authority will give particular consideration to measures proposed in the application in relation to prevent nuisance.

The premises is located on Stevenson Square within the Northern Quarter district of the city centre. There are primarily commercial properties nearby and a number of late-night alcohol led, licensed premises in close proximity.

The premises are currently operating as a sweet treats and ice cream emporium. The new licence application proposes the sale of alcohol for consumption both on and off the premises Monday to Sunday 0900 to 0000. The premises will be open to the public Monday to Sunday 0800 to 0030.

The plan submitted with the application seeks to include two areas in front of the premises, on the pavement and on the pedestrianised area within Stevenson Square as part of the licensed area. The proposed licensable area exceeds the extent of the boundary of the premises and does not form part of the building, with the proposal including areas of public highway. Therefore a Pavement Licence would require the submission and grant of either a Pavement Licence under The Business and Planning Act 2010, or a Tables and Chairs Licence under the Highways Act 1980 to allow the premises to utilise the area.

The applicant has proposed the following condition:

- Alcoholic drinks may not be removed from the premises in open containers except for consumption in the hotel bedrooms or designated external areas.

LOOH are concerned that this appears to be an administrative error made within the offered condition, as the applicant has not made any reference to operating the business as a hotel.

There are no proposed steps in the application around dealing with conflict management and drunk customers. Staff may be required to deal with intoxicated and aggressive customers as part of their duties and so relevant training must be in place. Also, records of all training relating to responsible alcohol service, managing and resolving conflict must be made available upon request by a responsible authority.

Moreover, there are no measures in place to guarantee that the premises and surrounding area is kept clean and free of litter. With the inclusion of the supply of alcohol for consumption on the premises it is probable that this licensable activity could give rise to litter being dropped in the vicinity of the premises e.g. cigarette ends.

Furthermore, where SIA registered door supervisors are employed, we would expect the premises to maintain a register to ensure all identities of door staff on shift can be verified and we would expect that the register it is made available upon request by a responsible authority.

For the above reasons LOOH recommend that the new licence application is refused in its current form.

Recommendation: Refuse application in its current form.

From: [REDACTED]

Sent: 11 July 2023 14:59

To: Premises Licensing <Premises.Licensing@manchester.gov.uk>; Gemma Smith <gemma.smith2@manchester.gov.uk>

Subject: RE: New Lic Act 2003 - Sweet! 9 Stevenson Square - 289087 (QUA19/3)

Dear Sirs

We refer to the Licensing Out of Hours Team representation upon which we have obtained our clients instructions.

Firstly, they are correct in that there is no hotel accommodation in respect of this premises.

Secondly, with regard to that proposed conditions we would suggest that it is amended to:

“Alcoholic drinks may not be removed from the premises in open containers except for consumption in the designated external areas.”

Our clients have confirmed that they undertake training in relation to conflict management and customers and such training records are retained.

Furthermore, that the issues raised as points of concern are covered off in their existing operation of other sites and could be adopted to this premises.

2. The Designated Premises Supervisor shall maintain a register of all persons engaged as door and security staff. The register will include the following details:
 - a. The registration number and name of that person.
 - b. The date and time which he or she commences duty.
 - c. The time and date when he or she finishes the period of duty.
 - d. The register shall be kept on site and be available for inspection by an authorised Officer of the Responsible Authority.
 - e. The register shall be retained for a period of 12 months.

3. At the end of trading the pavement licence area and immediate surrounding area shall be swept and/or washed and litter and sweepings collected and stored in waste receptacles.

4. Condition 1 under public safety to be amended so as to recite as follows:

“Staff shall be trained on matters of safety, evacuation and use of emergency equipment as required along with Challenge 25, conflict management and refusal of service to a drunk person. Such training shall be recorded and be available upon the request of Officers of the Responsible Authorities. Training records shall be retained for a period of 12 months.

However, within our representation reference was made to the proposed plan of the premises, and the suggested licensable area. As detailed with our representation the application seeks to incorporate two areas in front of the premises which would include an area on the pavement, and on the pedestrianised area within Stevenson Square.

These two areas do not fall within the extent of the boundary of the premises or form part of the building. The external areas proposed fall within the public highway and would require the submission and grant of either, a Pavement Licence under The Business and Planning Act 2010, or a Tables and Chairs Licence under the Highways Act 1980 to allow the premises to utilise these areas.

Considering the above Licensing & Out of Hours request that the plan is amended to omit these areas from the premises licensable area and plan.

Kind regards,
Gemma

Gemma Smith
Licensing & Out of Hours Officer

Licensing & Out of Hours
The Neighbourhoods Service
Growth and Neighbourhoods Directorate
Office Number: 0161 234 1220
Contact Centre: 0161 234 5004
Email: gemma.smith2@manchester.gov.uk

Location Address: Level 1, Town Hall Extension, M60 2LA
Postal Address: Manchester City Council, PO Box 532, Town Hall, Manchester, M60 2LA
Web: <http://www.manchester.gov.uk>

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

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. No alcohol is to be consumed in the external pavement licence area beyond 11pm. 2. In relation to the day to day operation of the premise the use of door staff will be risk assessed on an ongoing basis by the licence holder or premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority. 3. Alcoholic drinks may not be removed from the premises in open containers except for consumption in the designated external areas. 4. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police. 5. The premise will maintain an incident and refusal log which we be available to Greater Manchester Police and the Licensing authority upon reasonable request. 6. The Designated Premises Supervisor must have attended a CT Awareness training session delivered by CTPNW-trained personnel as soon as is reasonably practicable. In all cases, within 28 days of a new Designated Premises Supervisor being named on the Licence, they must have registered to attend a course and be able to provide evidence of this if requested by a police officer or authorised officer of Manchester City Council. 7. CCTV shall be installed with recording facilities such recordings shall be retained for a period of 28 days (except where such retention cannot be achieved due to reasonable periods of maintenance or repair) and made available within a reasonable time upon request by the police as long as the request is in accordance with data protection principles. 8. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required. 9. At the end of trading the Pavement Licence area and front of the premise outside the premises, must be swept and/or washed, and litter and sweepings collected and stored in waste receptacles. 10. All takeaway packaging and wrappers shall clearly identify the premises, i.e. by way of company logo or name. 11. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties. 12. Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly. 13. The Challenge 25 scheme must be operated to ensure that any 	N/A	Applicant

Schedule of Licence Conditions

<p>person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.</p> <p>14. The premises shall display prominent signage at any point of sale that the Challenge 25 scheme is in operation.</p> <p>15. The premises shall display prominent signage indicating at any point of sale that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.</p> <p>16. 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.</p>		
Conditions proposed by objectors	Agreed	Proposed by
<p>17. All staff engaged in the sale of alcohol will be trained with regards to the Challenge 25 policy and sales by proxy. This training will be documented, and training should be refreshed at no greater than 6 monthly Intervals.</p>	Yes	Trading Standards
<p>18. Alcoholic drinks shall not be removed from the premises in open containers except for consumption in the designated external areas.</p> <p>19. The Designated Premises Supervisor shall maintain a register of all persons engaged as door and security staff. The register will include the following details:</p> <ol style="list-style-type: none"> a. The registration number and name of that person. b. The date and time which he or she commences duty. c. The time and date when he or she finishes the period of duty. d. The register shall be kept on site and be available for inspection by an authorised Officer of the Responsible Authority. e. The register shall be retained for a period of 12 months. <p>20. At the end of trading the pavement licence area and immediate</p>	Yes	Licensing and Out of Hours

Schedule of Licence Conditions

<p>surrounding area shall be swept and/or washed and litter and sweepings collected and stored in waste receptacles.</p> <p>21. Staff shall be trained on matters of safety, evacuation and use of emergency equipment as required along with Challenge 25, conflict management and refusal of service to a drunk person. Such training shall be recorded and be available upon the request of Officers of the Responsible Authorities. Training records shall be retained for a period of 12 months.</p>		
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