



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 14 August 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. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk.

**There is no public access from the Lloyd Street entrances of the Extension.**

## **Membership of the Licensing Sub Committee Hearing Panel**

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**Councillors** - Andrews, Flanagan and Riasat

## Agenda

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- 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 - Goodtime Games, 212 Burton Road, Manchester, M20 2LW - Application reference 288868** 5 - 118  
The report of the Director of Planning, Building Control and Licensing.
- 5. Application for a New Premises Licence - Panacea, Basement, Ridgfield House, 14 John Dalton Street, Manchester, M2 6JR - Application reference 287310** 119 - 180  
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 6. Application for Premises Licence Variation - Cosy Club, Unit 1.03, The Corn Exchange, Exchange Square, Manchester, M4 3TR - Application Reference 289551** 181 - 226  
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 7. Application for New Premises Licence - Finders Keepers, 7 Keepers Quay, Manchester, M4 6JL - Application reference 289496** 227 - 306  
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 8. Objection to Temporary Event Notice - The Lock Keepers Cottage, 41 Chorlton Street, M1 3FY - Application reference 291215** 307 - 334

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

## Information about the Committee

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

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

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

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

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

Smoking is not allowed in Council buildings.

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

## Further Information

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

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This agenda was issued on **Friday, 4 August 2023** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 14 August 2023

**Subject:** Goodtime Games, 212 Burton Road, Manchester, M20 2LW - App ref: Premises Licence (new) 288868

**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 West

<b>Manchester Strategy Outcomes</b>	<b>Summary of the contribution to the strategy</b>
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

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### **Financial Consequences – Revenue**

None

### **Financial Consequences – Capital**

None

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### **Contact Officers:**

Name: Fraser Swift  
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Name: Bryan Johnson  
Position: Technical Licensing Officer  
Telephone: 0161 234 1248  
E-mail: [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)

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### **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 16/06/2023, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Goodtime Games, 212 Burton Road, Manchester, M20 2LW in the Didsbury West 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 Goodtime Games Limited.
- 2.3 The description of the premises given by the applicant is:  
*'A vegetarian board games café.'*
- 2.4 The proposed designated premises supervisor is Mr Thomas Anthony Walker.
- 2.5 **The licensable activities applied for:**

The supply of alcohol for consumption on the premises only:

Mon to Fri 5pm to 9.30pm  
Sat to Sun 12.30pm to 10pm

Seasonal Variations and Non-Standard Timings:

During school summer holiday period opening hours, the premises shall additionally serve alcohol to customers between 12midday to 5pm (Monday to Friday only)

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

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;

Other Persons:

- Didsbury West Ward Councillors;
- Business (x14).

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
<p><b>Licensing and Out of Hours Compliance</b></p>	<p>LOOH Compliance have submitted a representation against the application on the grounds of there being a high likelihood of the Licensing Objective relating to the prevention of public nuisance being adversely impacted upon, should the application be granted in its original format.</p> <p>In their representation LOOH compliance have requested additional conditions relating to the adoption and enforcement of specific mitigating</p>	<p>Grant with conditions</p>



	<p>measures to enable the premises to operate so that issues of public nuisance / noise disturbance do not arise and do not subsequently impact negatively on adjoining commercial and nearby residential premises.</p> <p>The applicant agreed to the request from LOOH Compliance on 19/07/2023 and LOOH Compliance subsequently withdrew their agreed representation.</p>	
<b>Didsbury West Ward Councillors</b>	<p>A representation in support of the application has been submitted by Councillor Richard Kilpatrick on behalf of all Didsbury West councillors.</p> <p>Cllr Kilpatrick stated that the limited licensable activity timings as applied for are to be generally welcomed and that, in his opinion, the premises is held in positive regard locally and has therefore proven to be of benefit to the local community. Cllr Kilpatrick has expressed confidence that the licensee will behave responsibly and will operate any granted premises licence in a likewise responsible manner.</p>	Grant
<b>Business (x14)</b>	<p>The general consensus amongst the received representations is that existing activities at the premises already have a profoundly negative impact upon their collective ability to treat their clients effectively, and in a suitably quiet and calm environment.</p> <p>It is widely believed by those objecting to the application that the owner (of Goodtime Games) has failed to install the mandatory levels of soundproofing measures at the premises, in order to prevent noise disturbance issues emanating from the premises.</p> <p>Furthermore, several complainants have raised the issue of the applicants plan to open up and operate an external seating area to the rear of the premises (previous noise complaint issues relating to the use of the rear courtyard area of the premises have been quoted). This proposal is regarded as being simply another means by which an increased level of noise disturbance issues/incidents will have a negative impact, as</p>	Refuse

	<p>well as affecting adjacent residential premises to the rear of 212 Burton Road. This prospect is regarded as being intolerable and unacceptable by those persons who have submitted an objection to the application for a premises licence for the premises at 212 Burton Road.</p>	
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- 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 Licensing and Out of Hours Compliance Team.
4. **Key Policies and Considerations**
- 4.1 **Legal Considerations**
- 4.1.1 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.
- 4.2 **New Information**
- 4.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.
- 4.3 **Hearsay Evidence**
- 4.3.1 The Panel may accept hearsay evidence and it will be a matter for the Panel to attach what weight to it that they consider appropriate. Hearsay evidence is evidence of something that a witness neither saw nor heard, but has heard or read about.
- 4.4 **The Secretary of State's Guidance to the Licensing Act 2003**
- 4.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided for all parties involved in licensing. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.
- 4.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.

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

#### 4.5 **Manchester Statement of Licensing Policy**

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

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

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

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

##### ***Section 6: What we aim to encourage***

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

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

##### ***Section 7: Local factors***

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

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

- Evidence of pre-existing problems in the area
- Consistency with relevant Council strategies
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Proximity to sensitive uses
- Ability to clean and maintain the street scene

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

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

- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS5 Prevent on-street consumption of alcohol
- MS8 Prevent noise nuisance from the premises
- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

**5. Conclusion**

5.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:

- the prevention of crime and disorder
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

5.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.

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

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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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**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** Goodtime Games Limited

*(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			
Goodtime Games, 212 Burton Road, West Didsbury,			
<b>Post town</b>	Manchester	<b>Postcode</b>	M20 2LW
Telephone number at premises (if any)		[REDACTED]	
Non-domestic rateable value of premises		£ 12,500	

**Part 2 - Applicant details**

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

- |  |                                     |                             |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals *                    | <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)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>			I am 18 years old or over <input type="checkbox"/> Please tick yes		
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
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)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>			I am 18 years old or over <input type="checkbox"/> Please tick yes		
<b>Nationality</b>					
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	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(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	Goodtime Games Limited
Address	Goodtime Games, 212 Burton Road, West Didsbury, Manchester, M20 2LW
Registered number (where applicable)	Companies House No. 12233938
Description of applicant (for example, partnership, company, unincorporated association etc.)	Private Limited Company

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

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
0	1	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)

We're a vegetarian board games café where people book in advance and come to learn and play new board games with their friends and family.

The premises is located on the ground floor of 212 Burton Road, and is surrounded by businesses on all sides, a bar/restaraunt called Crazy Wendy's, a hairdressers called MDs and a Counselling Centre which occupies the floors above us.

The areas where we'd like to allow people to consume alcohol are at our seven tables inside the venue and two small tables underneath our awning at the front of the building. The front area inside the café has 5 tables for customers and our kitchen/bar area, and the room to the rear has an additional two tables for 4 customers.

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

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

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

- |   |                            |
|---|----------------------------|
| Provision of regulated entertainment (please read guidance note 2)  | Please tick all that apply |
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/>   |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>   |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>   |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>   |
| e) live music (if ticking yes, fill in box E)   | <input type="checkbox"/>   |
| f) recorded music (if ticking yes, fill in box F)   | <input type="checkbox"/>   |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/>   |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/>   |

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

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

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon				<b><u>Please give further details here</u></b> (please read guidance note 4)	
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Tue					
			<b><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></b> (please read guidance note 6)		
Wed					
Thur					
Fri					
Sat					
Sun					

**C**

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



## D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				<b><u>Please give further details here</u></b> (please read guidance note 4)	
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)					
Mon								
Tue								
Wed						<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Thur								
Fri						<b><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></b> (please read guidance note 6)		
Sat								
Sun								

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

## G

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

## H

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

## I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish	Both		<input type="checkbox"/>	
Mon				<b><u>Please give further details here</u></b> (please read guidance note 4)	
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					



**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><b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)</p>			<p><b><u>State any seasonal variations</u></b> (please read guidance note 5)</p>
Day	Start	Finish	<p>During each annual school summer holiday period only (between those dates as specified by Manchester City Councils Directorate for Children's and Education Services), the premises shall operate additionally between the hours of 12midday to 5pm (Monday to Friday only).</p> <p><b><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></b> (please read guidance note 6)</p> <p>While we do not currently open on Tuesdays and intend to continue with our 6-day week; we may wish to open on a Tuesday and close on another week day so Tuesday is listed as "open to the public" 5PM - 10PM as these would be our operating hours.</p>
Mon	5PM	10PM	
Tue	5PM	10PM	
Wed	5PM	10PM	
Thur	5PM	10PM	
Fri	5PM	10:30PM	
Sat	10:30AM	10:30PM	
Sun	10:30AM	10PM	



## 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)

Our mission is to provide a safe, welcoming space where people can gather to enjoy wholesome, organised fun. In order to do this and safely serve alcohol, it is crucial that all staff are properly trained to manage and promote the four licensing objectives.

Staff will be trained in: basic first aid, relevant age restricted products, preventing underage sale, preventing proxy sales, how to refuse service, recording incidents and refusals, recognising signs of drunkenness, vulnerability or other serious issues that need reporting to relevant authorities. (See Operating Schedule for more details).  
Training records will be kept, made available on request and refreshed every 6 months.

### b) The prevention of crime and disorder

- We are a cashless business.
- Spirits and bar supplies will be stored behind a locked door.
- CCTV will operate to cover all public areas.

### c) Public safety

- A Full Risk Assessment will be undertaken at the premises to identify hazards and set out precautions and measures to protect staff and customers. A copy will be kept and available.
- We will display signage stating that it is an offence to sell alcohol to anyone who is drunk as well as Drink Aware posters to remind them of safe alcohol limits and unit content.
- Staff will be given first aid training.
- Potable water will be made available to customers at all times.
- We will put in place a Duty of Care policy regarding persons suffering adversely from the effects of drink. All staff will be briefed on the policy.
- No promotional material will condone, encourage or glamorise antisocial behaviour or refer to drunkenness in a favourable manner.

### d) The prevention of public nuisance

- Customers will only smoke in the area in front of the café, nor more than 10 customers will be permitted to remain in the designated area at any one time.
- Before opening (at 4:30PM) the designated smoking area will be swept/cleaned.
- Noise limiting device installed to limit amplified music to 41dB as per Acoustic Report.
- A Noise Management Policy will be put in place to set out measures to prevent excessive noise from loud customers.
- Incidents involving complaints, disorder, alleged crimes, faults with CCTV, refusals and visits by emergency services will be recorded, stored and made available on request.

### e) The protection of children from harm

- No person under 16 is permitted to enter/remain when alcohol is being sold unless they are accompanied by an adult.
- Challenge 25 scheme must be operated at all times and signs displayed.
- Signs stating it is an offence to buy and to sell alcohol to under 18s will be displayed.
- All refusals must be recorded in the incident book; including date/time, staff member and reason for refusal of sale.

**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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [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).</li> <li>• 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</li> </ul>
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	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	25/05/2023
Capacity	Managing Director, Goodtime Games Limited

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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)			
Tom Walker Goodtime Games, 212 Burton Road, West Didsbury			
Post town	Manchester	Postcode	M20 2LW
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

## Operating Schedule

Part of the Premises Licence Application for Goodtime Games.

**Produced by Tom Walker, Managing Director of Goodtime Games Limited**  
**Proposed DPS: Tom Walker (Licence No. 288297)**

**Saturday, 25 May 2023**

### **Address:**

Goodtime Games  
 212 Burton Road  
 West Didsbury  
 Manchester  
 M20 2LW

### **Type / Size / Location & Opening Hours**

Our premises is a small board games café which currently serves coffee and hot food, operating between the hours of 5pm - 10pm (week days) and 10:30am - 10:30pm (Friday and Saturday) and 10:30am - 10pm (Sundays). We have maximum 25 covers, and have between 2 and four staff members on-site during our opening hours, usually a manager and a café assistant.

We are a destination venue, where people come to enjoy a range of modern board games and vegan and vegetarian food and drinks. Customers tend to have a lot of interaction with our staff, who try to guide and set each group up to play games that they'll enjoy. As such, we already take steps to protect children by keeping them away from the any games with adult themes.

Our customers nearly always have to book in advance, through our website ([www.goodtimegames.co.uk](http://www.goodtimegames.co.uk)) because we only have 7 tables total, plus two small tables by the front door for people to sit and drink coffee at when the weather is good. Customers pay by the hour to sit at the tables and access our library of board games.

Not long after we opened in 2020, we decided to allow customers to bring their own alcohol into the venue with our permission. We've had no incidents of disruptive behaviour, public nuisance, public safety or incidents involving harm to children.

### **Nature of the area**

The immediate area is a busy strip with several bars, pubs, cafés and restaurants located within 100m radius. During the day, the area outside the café is fairly quiet except on weekends where there are usually people eating and drinking al-fresco nearby. At night, and especially on weekends the outside street is fairly loud, and sometimes amplified music can be heard from the two bars across the street.

There are primary schools located nearby, and there are flats above the different bars and cafés on Burton Road itself. Occupying the two floors above us, there is a counselling centre that mainly operates before 9pm. To one side is a hairdressers (MDs) and to the other is the Restaurant/Bar Crazy Wendys.

### **Planned Licensable Activities**

- **Supply of alcohol**

**Clientele**

The majority of our clientele are our members and repeat customers, who enjoy our regular events and gathering here to play games. They are mostly based in either Didsbury, Chorlton, Withington or Fallowfield areas. We tend to cater to smaller groups (usually 6 or less) because of the player count of most of our games. Our customers are usually aged between 25 and 45. We do get families in during the daytime on weekends as well, though not usually later than 8pm. After 8pm, it's usually young professionals, students and groups of colleagues getting together after work. Normally, school aged children and young people under 18 will visit during the daytime; but they are nearly always accompanied by their parents.

# Public Safety

## **PREVENTING AND DEALING WITH DRUNKENNESS AND VULNERABILITY**

- A Full Risk Assessment will be undertaken at the premises to identify potential hazards posed to staff and/or customers and set out precautions to manage the hazards. This risk assessment should be regularly reviewed (at least every 12 months). All staff will be made aware of the risk assessment and the precautionary measures to take. A copy will be kept on the premises and made available for inspection.
- The premises shall display prominent signage indicating in all areas where alcohol is located that it is an offence to sell alcohol to anyone who is drunk.
- Our Duty of Care Policy regarding persons suffering adversely from the effects of drink will be in place. The policy expresses that every effort will be made by staff to prevent patrons from deteriorating to an uncontrolled intoxicated extent and all staff will be briefed on the policy.
- Drink-aware posters will be displayed in the premises to remind customers of the unit content in alcoholic drinks and the safe alcohol consumption limits.
- Trained first aider(s) should be on duty whenever the premises licence is in use. All staff will be given basic first aid training.
- A First aid/Quiet room is located downstairs and is available to anyone that requires medical attention.
- We will at all times provide potable water from a dispenser, and tell all customers where it is and to help themselves.

## **PROMOTIONAL ACTIVITIES**

- No promotional social media communication may be carried on for the purpose of encouraging the sale or supply of alcohol at the premises, which can reasonably be considered to condone, encourage or glamorise antisocial behaviour or to refer to the effects of drunkenness in any favourable manner.

# Prevention of Public Nuisance

## SMOKING

- Customers permitted to temporarily leave and then re-enter the premises to smoke must be restricted to a designated smoking area defined as by the area outside the front of the café. No more than 10 customers will be permitted to remain in the designated smoking area at any one time.

## LITTER AND CLEANSING

- At 4:30PM outside the premises at the front must be swept and/or washed, and litter and sweepings collected and disposed of correctly.

## PREVENTING NOISE

- A noise limiting device must be installed and must operate at all times regulated entertainment takes place at the premises. The device must be of a type, in a location and set at a level of 41dB, as per professional Acoustic Consultants recommendation.
- There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.
- The licence holder shall, so far as is reasonably practicable, take such steps as to ensure that people on, or leaving, the licensed premises conduct themselves in an orderly manner, and do not cause annoyance to the neighbourhood.
- Disposal of refuse such as waste bottles into external receptacles, where the noise will be audible to neighbouring properties, is done before 6pm.
- The maximum number of customers permitted to use the public highway at the front of the premises shall be limited to 10 (ten) at any time.
- To these ends, a Noise Management Policy will be put in place that sets out measures to prevent noise breakout from the premises caused by excessively loud customers. Staff will be briefed on this policy.

## INCIDENT REPORTING

Any and all of the following incidents must be noted including pertinent details and, as appropriate, reported promptly so that investigations can be made and action taken:

- alleged crimes reported to the venue or by the venue to the police.
- complaints received.
- incidents of disorder.
- seizures of drugs, offensive weapons, fraudulent ID or other items.
- faults in the CCTV system, searching equipment or scanning equipment.
- refusal of the sale of alcohol.
- visit by a responsible authority or emergency service.
- Incident logs (which may be kept electronically) must be kept at the premises for at least six months and made available on request to the police or an authorised officer of the licensing authority.

# Protection of Children from Harm

## CHILDREN ON THE PREMISES

- No person under the age of 16 years of age is permitted to enter or remain on the licensed premises when alcohol is being sold or supplied unless they are accompanied by an adult.

## PREVENTING UNDERAGE SALES

- 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.
- The premises shall display prominent signage in all areas where alcohol is located that the Challenge 25 scheme is in operation.
- The premises shall display prominent signage indicating at the entrance to the premises, or in all areas where alcohol is located 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.
- 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 24hrs of a request by an officer of a Responsible Authority.



# Prevention of Crime & Disorder

## PREVENTING THEFT & BREAK-INS

- We are a cashless business and will remain so.
- Unopened spirits and bar supplies will be stored behind a locked door.

## CCTV

- CCTV cameras are located within the premises to cover all public areas including all entrances and exits (as specified in Cafe Cameras Layout image).
- The system records clear images permitting the identification of individuals
- The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days
- The CCTV system operates at all times while the premises are open to the public or whenever it is activated by movement.
- All equipment must have a constant and accurate time and date generation
- The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected
- There must be at least one member of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).

## **Staff Training**

### **All staff authorised to sell alcohol shall be trained in:**

- Basic aid aid.
- Relevant age restrictions in respect of products.
- Preventing underage sales.
- Preventing proxy sales.
- Maintaining the refusals log.
- Recognising signs of drunkenness and vulnerability.
- How over-service of alcohol impacts on the four objectives of the Licensing Act 2003.
- How to refuse service.
- The premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment; and how to report issues of modern slavery and trafficking.
- Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services.
- The conditions in force under this licence.
- Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.
- Training will be done 1:1 by the DPS and include test questions to evidence that the trainee has gained knowledge and understanding of the training.

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

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**MANCHESTER  
CITY COUNCIL**
**Licensing & Out of Hours Compliance Team - Representation**

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

Premise Details	
Application Ref No	REF288868
Name of Premises	Goodtime Games
Address	212 Burton Road, Manchester, M20 2LW

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.
<p>Licensing &amp; Out of Hours Compliance Team (LOOH) as the responsible authority have assessed the likely impact of the grant of this application taking into account a number of factors, including the nature of the area in which the premises is located and the proximity to residential accommodation, the hours applied for and any potential risk that the grant of this application could lead to issues of public nuisance.</p> <p><b>Proposed hours and licensable activities:</b></p> <p><i>The supply of alcohol for consumption on the premises only:</i>  Mon to Fri 5pm to 9.30pm  Sat to Sun 12.30pm to 10pm</p> <p><i>Seasonal Variations and Non-Standard Timings:</i>  During school summer holiday period opening hours, the premises shall additionally serve alcohol to customers between 12midday to 5pm (Monday to Friday only)</p> <p><i>Opening hours:</i>  Mon to Fri 5pm to 9.30pm  Sat to Sun 12.30pm to 10pm</p> <p><i>Seasonal Variations and Non-Standard Timings:</i>  During each annual school summer holiday period only (between those dates as specified by Manchester City Councils Directorate for Children's and Education Services), the premises shall operate additionally between the hours of 12midday to 5pm (Monday to Friday only).</p> <p>The existing and established premises is located on the busy and popular Burton Road, Didsbury. Located in a row of mixed used commercial premises with late licensed premises directly over Burton Road, facing this premises and there are residential properties directly to the rear of the premises on Arley Avenue.</p>

Whilst the applicant has submitted a relatively comprehensive operating schedule to promote all four licensing objectives, it was felt by LOOH that the additional conditions and or amendments should also be attached to the premise licence subject to the licensing committees' approval.

1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
2. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
3. Notice shall be displayed at any area used for smoking requesting patrons to respect the needs of local resident and use the area quietly.
4. A prominent, clear, and legible notice shall be displayed at the exit to the premises asking customers to respect the needs of residents and to leave the area quietly.
5. The emptying of bins and refuse collections, shall not take place between 22:00 and 08:00 hours.

Section 7 of Manchester City Council's Statement of Licensing Policy sets out considerations that must be taken in to account when assessing the impact of a premises to local residents in relation to the potential for nuisance.

We believe the above conditions are proportionate and necessary to uphold the licensing objectives in relation to preventing public nuisance.

Recommendation: Approve with Conditions (Outlined Above)

**Licencing Conditions - Goodtime Games**

**From:** Sion Roberts [REDACTED]  
**Sent:** 19 July 2023 20:21  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** Re: Licencing Conditions - Goodtime Games

Dear Premises Licensing,  
As the applicant has agreed to all conditions proposed by LOOH.  
I confirm I am happy to withdraw my representation.  
Kind regards  
Sion

Mr Sion Roberts

Neighbourhood Officer  
Licensing & Out of Hours Compliance  
Neighbourhoods Directorate  
Manchester City Council

[REDACTED]

[REDACTED]

.....

**From:** [REDACTED]  
**Sent:** 18 July 2023 21:36  
**To:** Sion Roberts [REDACTED]  
**Subject:** Re: Licencing Conditions - Goodtime Games

Hey Sion,

Thanks for clarifying that for me.

In that case, we're completely happy to accept what you've suggested and I'll let the licencing team know.

Thanks again,  
Tom Walker

.....

On 18/07/2023 21:08 BST Sion Roberts [REDACTED]

Evening Tom,

The condition is a standard condition.

Our team as well as dealing with licensing is also the out of hours noise team so we are qualified and experienced at assessing noise. We ultimately would decide if any reported noise was an issue (not the complainant) and we would work with any premises in order to resolve, even if it there was a potential problem.

If the planning specifications/recommendations have been followed, it's highly unlikely that noise from the premises would be an issue. Hopefully this will clarify any concerns.

If you're in agreement please let the premises licensing team know.

Kind regards

Sion

Mr Sion Roberts

Neighbourhood Officer  
Licensing & Out of Hours Compliance  
Neighbourhoods Directorate  
Manchester City Council

[REDACTED]

[REDACTED]

.....

**From:** [REDACTED]  
**Sent:** 18 July 2023 00:30  
**To:** Sion Roberts [REDACTED]  
**Subject:** Licencing Conditions - Goodtime Games

Dear Sion,

Thanks for your considered response to our application. I'd be happy to accept the conditions you've suggested, as they seem fair and appropriate to me.

I am a bit concerned that the condition (1) might be abused by our upstairs neighbours



for vexacious reasons (because they submitted 12 seperate representations against our application despite us coming to them beforehand.)

Because we had to change to a shop to a café, we needed a acoustic report produced by a professional consultancy. The noise survey was carried out on particularly busy Saturday night, and the consultant's report concluded that the transmitted noise was within reasonable limits, and this was accepted by the council. (Attached)

We have permitted customers to bring their own alcohol (BYOB) into the café since we opened. While we've not had any incidents of antisocial, disruptive behaviour or drunkenness, having more control over / accountability for the alcohol being consumed on the premises should, if anything, improve things.

While I appreciate this kind of condition might be appropriate, is there any other wording we could use that might not put us completely at their mercy, because the tenants upstairs have clearly taken a dislike to us. I contacted them before submitting my application, but they sent us a single line response and didn't really engage with us despite our best efforts.

Presumably, any complaints would need to be independently verified before any action is taken?

If so, it's probably completely fine if we accepted condition (1) as is.

Nevertheless, I'd really appreciate any input / suggestions / thoughts on this because this is uncharted territory for me; and the additional revenue is crucial to our survival / viability going forward!

Sincerely,

Tom Walker

Managing Director, Goodtime Games Board Games Café



**RE: Premises Licence (new) 288868/BJ1: Goodtime Games, 212 Burton Road, Manchester, M20 2LW, (Didsbury West ward)**

**From:** Richard Kilpatrick [REDACTED]  
**Sent:** 27 June 2023 21:12  
**To:** Premises Licensing <[Premises.Licensing@manchester.gov.uk](mailto:Premises.Licensing@manchester.gov.uk)>  
**Subject:** RE: Premises Licence (new) 288868/BJ1: Goodtime Games, 212 Burton Road, Manchester, M20 2LW, (Didsbury West ward)

Dear licensing,

I have spoken to the applicant, local businesses, and West Didsbury Residents' Association. I believe that the applicant is a good neighbour and positive local business who has lots of good will within the community. Given the limit on alcohol sales in this application I am happy to support this. I would be concerned if this application was asking for a very late license, but I think the timings requested would be much earlier than many of their neighbours. This would mean patrons would be able to go elsewhere to drink afterwards. The applicant has been a good local business and welcomed by the community – it makes sense that the business takes advantage of the financial benefit of selling alcohol directly to customers rather than BYOB. I am very confident that the applicant will be a responsible licensee.

For that reason, I would like to support the application.

Many thanks  
Richard

**Cllr Richard Kilpatrick**  
*Liberal Democrat*  
Didsbury West Ward  
Manchester City Council

**Ref 288868/BJ1**

**From:** [REDACTED]  
**Sent:** 08 July 2023 14:22  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Ref 288868/BJ1

Dear Sir/Madam.

I write to you as a counsellor & psychotherapist [REDACTED]  
[REDACTED]. As the owner of the café hasn't installed sufficient soundproofing to the building, myself, my colleagues & our clients, already struggle at times due to the excessive noise coming from the café & I fear that the problem will be greatly exacerbated by the drinking of alcohol on the site.

As I work with many vulnerable clients, some of whom suffer greatly from severe depression, anxiety & PTSD, I am very concerned both about their ability to cope with such an increase in excessive & unpredictable noise & also my own ability to cope in such a difficult & raucous environment. I fear that such a license being granted will thereby have a huge impact on the livelihoods of myself & my colleagues, as well as having a hugely detrimental effect on the mental health of those whom we support.

The fact that the café owners are now also considering opening up the back courtyard area as a space in which customers can sit drinking alcohol, will only serve to further compound the problem if such permission is granted, as the upstairs counselling room in which I work, faces directly on to this outdoor space. To cut out excessive noise & also maintain my clients confidence in their confidentiality, this would mean I could never have my window open, even on unbearably hot days. In addition, that particular area also backs on to a lot of private houses, so this proposal will also have a huge impact on all of those families who live close by.

I hope that this submission serves to make clear to you my justified concerns regarding the granting of an alcohol license to Goodtime Games Café and that you are able to respond accordingly to the impact that this will have on myself and so many others.

Yours sincerely  
[REDACTED]

## Objection to Alcohol License Application for Tom Walker's Café

**From:** [REDACTED]  
**Sent:** 08 July 2023 14:23  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Objection to Alcohol License Application for Tom Walker's Café

Reference :288868/BJ1

Dear Licensing Committee Members,

I am writing to express my strong objection to the alcohol licence application submitted by Tom Walker for his café located at Goodtime Games, 212 Burton Road, Manchester, M20 2LW.

As a concerned citizen and a psychotherapist, I am deeply troubled by the potential negative impact this licence will have on my work, especially those clients who present with trauma.

First and foremost, it has come to my attention that Mr. Walker has failed to implement the necessary soundproofing measures as required by regulations. This lack of compliance raises significant concerns regarding noise levels within and around the café. Introducing alcohol to the premises without proper soundproofing would only exacerbate the existing noise issue, leading to increased disruption and disturbance for practice and my clients.

Furthermore, I would like to draw attention to Mr. Walker's intention to open the rear courtyard for customers. This decision is of particular relevance, as it significantly increases the potential for noise disturbances to affect an even larger area. The combination of alcohol consumption and the expansion of the café's outdoor space could lead to an escalation in disruptive behaviour, negatively impacting the peaceful and quiet atmosphere that is vital for the trauma work of psychotherapists and counsellors in the building.

Considering the potential implications on the well-being and mental health of individuals seeking therapy and mental health support, I urge each of you, as members of the Licensing Committee, to register your objection to Mr. Walker's alcohol license application in your own capacity. As professionals committed to the welfare of our community, it is crucial that we take a stand against developments that could threaten the safety, tranquility, and overall quality of life of our clients.

I kindly request that you carefully consider the concerns raised and give due weight to the objections from myself and fellow psychotherapists and counsellors from the centre. It is our sincere hope that you will prioritise the needs of our clients by carefully reviewing and denying this alcohol license application.

Thank you for your attention to this matter. I trust that you will take the appropriate steps to ensure that our community [REDACTED] remains a peaceful and supportive environment for all.

Sincerely,

[REDACTED]

**Good time games**

**From:** [REDACTED]  
**Sent:** 08 July 2023 16:06  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Good time games

Good afternoon,

I have been informed that the above are applying for an alcohol licence, even though they have not met the soundproofing requirements for an establishment. This is a concern to me as a self-employed psychotherapist in private practice, as the noise levels are already high on some evenings when carrying out client work.

This not only has a negative impact on my business, but on the welfare of my clients who are paying for a safe, confidential, and quiet space when exploring difficult life experiences.

I ask that the license and access to the roof terrace is not granted, on behalf of myself, my clients, [REDACTED] and the local community to prevent further disruption.

Warm regards,

[REDACTED]

Sent from [Outlook for Android](#)

**Ref: 288868/BJ1**

**From:** [REDACTED]

**Sent:** 11 July 2023 21:18

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

**Subject:** Ref: 288868/BJ1

Dear Sir or Madam,

I would like to express my concerns about the application for an alcohol license at the premises 212 Burton Rd, M20 2LW. Ref: 288868/BJ1

We [REDACTED] run a small centre for counselling, psychotherapy and other psychological treatments. There are over 30 of us – not all working at the same time! – dependent on the centre for all or a large part of our incomes. Any further levels of noise will impact on our work, the well-being of our clients and our livelihoods.

We have been told that Goodtime Games will sell “a few low alcohol beers”, as if this is recognition that alcohol will cause some disruption but possibly not too much. However, the owner of the café, Mr Walker, has never shown willingness to cooperate with his neighbours:

- complaints from ourselves and the residents behind the property about noise;
- complaints about smoke from bonfires in the backyard of the property from the same people and then intervention by Greater Manchester environmental officer;
- after over three years and despite repeated reminders from Greater Manchester Council, he has still not put in place the mandated soundproofing in the café;
- he has made fictitious claims about a conversation with us on a previous planning application.

I cite these as evidence of Mr Walker’s lack of respect for the neighbourhood and for the law.

We do not oppose this application because Mr Walker has upset us in the past, but because we fear the higher noise levels associated with alcohol will seriously impact our business.

Having an alcohol-free space for young people is very welcome and Goodtime Games aims to attract a young clientele. Indeed, it extends its opening hours during school holidays. However, does Mr Walker intend to eject any unaccompanied children at 5.0pm when the licence permits him to start serving alcohol? Perhaps he does, but there seems to be a conflict of values here as well as the potential for confusion.

We thank you for taking the time to read our observations and for listening to our worries.

Yours faithfully

[REDACTED]  
[REDACTED]

**Ref: 288868/BJ1**

**From:** [REDACTED]

**Sent:** 11 July 2023 21:18

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

**Subject:** Ref: 288868/BJ1

Dear Sir or Madam,

I would like to express my concerns about the application for an alcohol license at the premises 212 Burton Rd, M20 2LW. Ref: 288868/BJ1

We [REDACTED] run a small centre for counselling, psychotherapy and other psychological treatments. There are over 30 of us – not all working at the same time! – dependent on the centre for all or a large part of our incomes. Any further levels of noise will impact on our work, the well-being of our clients and our livelihoods.

We have been told that Goodtime Games will sell “a few low alcohol beers”, as if this is recognition that alcohol will cause some disruption but possibly not too much. However, the owner of the café, Mr Walker, has never shown willingness to cooperate with his neighbours:

- complaints from ourselves and the residents behind the property about noise;
- complaints about smoke from bonfires in the backyard of the property from the same people and then intervention by Greater Manchester environmental officer;
- after over three years and despite repeated reminders from Greater Manchester Council, he has still not put in place the mandated soundproofing in the café;
- he has made fictitious claims about a conversation with us on a previous planning application.

I cite these as evidence of Mr Walker’s lack of respect for the neighbourhood and for the law.

We do not oppose this application because Mr Walker has upset us in the past, but because we fear the higher noise levels associated with alcohol will seriously impact our business.

Having an alcohol-free space for young people is very welcome and Goodtime Games aims to attract a young clientele. Indeed, it extends its opening hours during school holidays. However, does Mr Walker intend to eject any unaccompanied children at 5.0pm when the licence permits him to start serving alcohol? Perhaps he does, but there seems to be a conflict of values here as well as the potential for confusion.

We thank you for taking the time to read our observations and for listening to our worries.

Yours faithfully

[REDACTED]  
[REDACTED]

**Objection: Reference :288868/BJ1**

**From:** [REDACTED]

**Sent:** 12 July 2023 17:21

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

**Subject:** Objection: Reference :288868/BJ1

Dear Licensing Committee Members,

[REDACTED]

[REDACTED] I am writing to express my strong objection to the alcohol licence application submitted by Tom Walker for his café located at Goodtime Games, 212 Burton Road, Manchester, M20 2LW.

As a concerned citizen and a therapist, I am deeply troubled by the potential negative impact this licence will have on my work [REDACTED]. My main worries are around sound disturbance for our place of work.

First and foremost, it has come to my attention that Mr. Walker has failed to implement the necessary soundproofing measures as required by regulations. This lack of compliance raises significant concerns regarding noise levels within and around the café. Introducing alcohol to the premises without proper soundproofing would only exacerbate the existing noise issue, leading to increased disruption and disturbance for practice and my clients.

Furthermore, I would like to draw attention to Mr. Walker's intention to open the rear courtyard for customers. This decision is of particular relevance, as it significantly increases the potential for noise disturbances to affect an even larger area. The combination of alcohol consumption and the expansion of the café's outdoor space could lead to an escalation in disruptive behaviour, negatively impacting the peaceful and quiet atmosphere that is vital for the trauma work of psychotherapists and counsellors in the building. Considering the potential implications on the well-being and mental health of individuals seeking therapy and mental health support, I urge each of you, as members of the Licensing Committee, to register your objection to Mr. Walker's alcohol license application in your own capacity.

As professionals committed to the welfare of our community, it is crucial that we take a stand against developments that could threaten the safety, tranquility, and overall quality of life of our clients. I kindly request that you carefully consider the concerns raised and give due weight to the objections from myself and fellow psychotherapists and counsellors from the centre. It is our sincere hope that you will prioritise the needs of our clients by carefully reviewing and denying this alcohol license application.

Thank you for your attention to this matter. I trust that you will take the appropriate steps to ensure that our community [REDACTED] remains a peaceful and supportive environment for all.

Sincerely,

[REDACTED]



**Premises license Objection**

**From:** [REDACTED]  
**Sent:** 12 July 2023 17:24  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Premises license Objection  
Reference :288868/BJ1

Dear Licensing Committee Members,

I am writing to express my strong objection to the alcohol licence application submitted by Tom Walker for his café located at Goodtime Games, 212 Burton Road, Manchester, M20 2LW. As a concerned citizen and a psychotherapist, I am deeply troubled by the potential negative impact this licence will have on my work, especially those clients who present with trauma.

First and foremost, it has come to my attention that Mr. Walker has failed to implement the necessary soundproofing measures as required by regulations. This lack of compliance raises significant concerns regarding noise levels within and around the café. Introducing alcohol to the premises without proper soundproofing would only exacerbate the existing noise issue, leading to increased disruption and disturbance for practice and my clients.

Furthermore, I would like to draw attention to Mr. Walker's intention to open the rear courtyard for customers. This decision is of particular relevance, as it significantly increases the potential for noise disturbances to affect an even larger area. The combination of alcohol consumption and the expansion of the café's outdoor space could lead to an escalation in disruptive behaviour, negatively impacting the peaceful and quiet atmosphere that is vital for the trauma work of psychotherapists and counsellors in the building.

Considering the potential implications on the well-being and mental health of individuals seeking therapy and mental health support, I urge each of you, as members of the Licensing Committee, to register your objection to Mr. Walker's alcohol license application in your own capacity. As professionals committed to the welfare of our community, it is crucial that we take a stand against developments that could threaten the safety, tranquility, and overall quality of life of our clients.

I kindly request that you carefully consider the concerns raised and give due weight to the objections from myself and fellow psychotherapists and counsellors from the centre. It is our sincere hope that you will prioritise the needs of our clients by carefully reviewing and denying this alcohol license application.

Thank you for your attention to this matter. I trust that you will take the appropriate steps to ensure that our community [REDACTED] remains a peaceful and supportive environment for all.

Sincerely,

[REDACTED]

**288868/BJ1**

**From:** [REDACTED]  
**Sent:** 12 July 2023 19:45  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** 288868/BJ1

I object to GOODTIME GAMES getting a licence to serve alcohol as drunk customers will disturb the work we do [REDACTED].

[REDACTED]

Sent from my iPhone

**Reference: 288868/BJ1**

**From:** [REDACTED]

**Sent:** 13 July 2023 17:38

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

**Subject:** Reference: 288868/BJ1

Dear Licensing Committee Members,

I am writing to express my objection to the alcohol licence application submitted by Tom Walker for the café located at Goodtime Games, 212 Burton Road, Manchester, M20 2LW.

[REDACTED] I am concerned by the potential negative impact this licence will have on my work, especially those clients who present with trauma due to the noise and nature of the business.

I believe Mr. Walker has failed to implement the necessary soundproofing measures as required by regulations. This lack of compliance raises significant concerns regarding noise levels within and around the café. The noise in the café can be heard from the floor above when they play the clapping games, introducing alcohol to the premises without proper soundproofing would only exacerbate the existing noise issue, leading to increased disruption and disturbance for practice and my clients. Customers who step out of the café for a cigarette break stand directly in front of our door due to the close proximity of both doors. It is important for our clients to access the door quickly, quietly and confidentially and can feel intimidating for clients arriving and leaving the centre to have to excuse themselves past patrons.

Furthermore, I would like to draw attention to Mr. Walker's intention to open the rear courtyard for customers. This decision is of particular relevance, as it significantly increases the potential for noise disturbances to affect an even larger area. The combination of alcohol consumption and the expansion of the café's outdoor space could lead to an escalation in disruptive behaviour, negatively impacting the peaceful and quiet atmosphere that is vital for the trauma work of psychotherapists and counsellors in the building. Considering the potential implications on the well-being and mental health of individuals seeking therapy and mental health support, I urge each of you, as members of the Licensing Committee, to register your objection to Mr. Walker's alcohol license application in your own capacity.

Please consider the concerns raised and give due weight to the objections from myself and fellow psychotherapists and counsellors from the centre. It is our sincere hope that you will consider and prioritise the needs of our clients by carefully reviewing and denying this alcohol license application. Thank you for your attention to this matter. I trust that you will take the appropriate steps to ensure that our community [REDACTED] remains a peaceful and supportive environment for all.

Sincerely,

[REDACTED]

**Reference: 288868/BJ1**

**From:** [REDACTED]  
**Sent:** 13 July 2023 21:39  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Reference 288868/BJ1

Reference :288868/BJ1

To whomever it may concern

I am writing to express my objection to the alcohol licence application submitted by Tom Walker for his café located at Goodtime Games, 212 Burton Road, Manchester, M20 2LW.

As a concerned citizen and a psychotherapist, I am deeply troubled by the potential negative impact this licence will have on my work, especially those clients who present with trauma. I understand that Mr. Walker has failed to implement the necessary soundproofing measures as required by regulations. This lack of compliance raises significant concerns regarding noise levels within and around the café.

Introducing alcohol to the premises without proper soundproofing will exacerbate the existing noise issue, leading to increased disruption and disturbance for practice and my clients. Mr. Walker's intends to open the rear courtyard for customers. This decision is of particular relevance, as it significantly increases the potential for noise disturbance.

The combination of alcohol consumption along with the expansion of the café's outdoor space will lead to an escalation in noise, negatively impacting the quiet atmosphere vital for the trauma work of psychotherapists and counsellors in the building.

Considering the potential implications on the well-being and mental health of individuals seeking therapy and mental health support, I urge you, as members of the Licensing Committee, to register your objection to Mr. Walker's alcohol license application in your own capacity. As professionals committed to the welfare of our community, it is crucial that we take a stand against developments that could threaten the safety, tranquility, and overall quality of life of our clients.

I kindly request that you carefully consider the concerns raised and give due weight to the objections from myself and fellow psychotherapists and counsellors from the centre. It is our sincere hope that you will prioritise the needs of our clients by carefully reviewing and denying this alcohol license application.

I trust that you will take the appropriate steps to ensure that our community [REDACTED] remains a peaceful and supportive environment for all.

Yours sincerely

[REDACTED]

**Reference: 288868/BJ1**

**From:** [REDACTED]  
**Sent:** 14 July 2023 07:15  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Ref 288868/BJ1

I'm writing to object against the licence application 288868/BJ1

I'm a counsellor and psychotherapist [REDACTED]  
[REDACTED]  
[REDACTED]. The nature of my work means people with poor mental health need to be able to talk and be heard in a calm and confidential space.

Mr Walker has not complied with conditional planning requirements as part of the change of use for the premises. He has been running the cafe for 3 years without meeting any of the required sound insulation requirements. The Good Time cafe already generates unacceptable noise and disruption [REDACTED]  
[REDACTED]. In the last 2 months I have personally made 3 noise complaints direct to him. Mr Walker has consistently demonstrated total disregard to residents and businesses around him by regularly burning contaminated rubbish, which resulted in environmental health getting involved.

My sincere concern is that granting an alcohol licence will lead to further rises in noise levels leading to further disruption to an essential pre-existing mental health service provider.

My sincere concern is that given Mr Walker has already demonstrated disrespect and disregard for planning and environmental requirements, he will not be adverse to disregarding licencing requirements in place to protect young people.

There are already an ample number of licenced premises on this stretch of Burton Road. The Good Time games cafe is a family venue and as such, young people need to have continued access to alcohol-free places.

I strongly object to this licence and request that this family venue remains an alcohol-free space

With warm wishes

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

**Ref: 288868/BJ1**

**From:** [REDACTED]

**Sent:** 14 July 2023 12:58

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

**Subject:** Ref: 288868/BJ1

Dear Sir / Madam,

I am writing in order to express my concerns regarding the proposed alcohol licence request by Goodtime Games.

[REDACTED]  
[REDACTED]. I am very concerned that without adequate soundproofing in place, the noise created by customers downstairs will negatively impact the sessions I hold with potentially vulnerable clients. The proposal to allow outside seating [REDACTED] is also very concerning.

In order for counselling to succeed, an environment of calm and trust is needed. External noise, in particular when unpredictable, obtrusive, distracting, or even triggering, does risk impacting on the ability for sessions to be conducted successfully.

I would be grateful if these concerns are taken into consideration when considering the proposal.

Kind regards

[REDACTED]

## Premises Application Objection

**From:** [REDACTED]  
**Sent:** 14 July 2023 12:26  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Premises Application Objection

Reference :288868/BJ1

Dear Licensing Committee Members,

I am writing to express my objection to the alcohol licence application submitted by Tom Walker for his café located at Goodtime Games, 212 Burton Road, Manchester, M20 2LW. As a Counsellor [REDACTED] I am concerned by the potential negative impact this licence will have on my work and for my clients.

As Mr Walker has failed to implement the necessary soundproofing measures as required by regulations. This lack of compliance raises significant concerns regarding noise levels within and around the café which will be exacerbated by the introduction of alcohol.

Furthermore, I would like to draw attention to Mr. Walker's intention to open the rear courtyard for customers. This decision is of particular relevance, as it significantly increases the potential for noise disturbances to affect an even larger area. The combination of alcohol consumption and the expansion of the café's outdoor space could lead to an escalation in noise levels which would negatively impact the peaceful and quiet atmosphere that is vital for the trauma work of psychotherapists and counsellors in the building.

Considering the potential implications on the well-being and mental health of individuals seeking therapy and mental health support, I urge each of you, as members of the Licensing Committee, to register your objection to Mr. Walker's alcohol license application in your own capacity.

As professionals committed to the welfare of our community, it is necessary that we take a stand against developments that could threaten the safety, tranquility, and overall quality of life of our clients. I kindly request that you carefully consider the concerns raised and give due weight to the objections from myself and fellow psychotherapists and counsellors from the centre. It is our sincere hope that you will prioritise the needs of our clients by carefully reviewing and denying this alcohol license application.

Thank you for your attention to this matter. I trust that you will take the appropriate steps to ensure that our community [REDACTED] remains a peaceful and supportive environment for all.

Sincerely,

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

[REDACTED]

**From:** [REDACTED]  
**Sent:** 14 July 2023 23:23  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Ref: 288868/BJ1

Reference :288868/BJ1

Dear Licensing Committee Members,

I am writing to express my strong objection to the alcohol license application submitted by Tom Walker of Goodtime Games, 212 Burton Road, Manchester, M20 2LW.

I am concerned by the potential negative impact this license will have on my work as a psychotherapist [REDACTED]. I understand Mr. Walker has failed to install the necessary soundproofing measures as required by regulations. This lack of compliance raises significant concerns regarding noise levels within and around the café.

Introducing alcohol to the premises without proper soundproofing would only exacerbate the existing noise issue, leading to increased disruption and disturbance for practice and my clients.

I would like to draw attention to Mr. Walker's intention to open the rear courtyard for customers. This decision is of particular relevance, as it significantly increases the potential for noise disturbances to affect an even larger area. The combination of alcohol consumption and the expansion of the café's outdoor space could lead to an escalation in disruptive behaviour, negatively impacting the peaceful and quiet atmosphere that is vital for the trauma work of psychotherapists and counsellors in the building.

Considering the potential implications on the well-being and mental health of individuals seeking therapy and mental health support, I urge each of you, as members of the Licensing Committee, to register your objection to Mr. Walker's alcohol license application in your own capacity.

As professionals committed to the welfare of our community, it is crucial that we take a stand against developments that could threaten the safety, tranquility, and overall quality of life of our clients.

I kindly request that you carefully consider the concerns raised and give due weight to the objections from myself and fellow psychotherapists and counsellors from the centre. It is our sincere hope that you will prioritise the needs of our clients by carefully reviewing and denying this alcohol license application.

Thank you for your attention to this matter. I trust that you will take the appropriate steps to ensure that our community [REDACTED] remains a peaceful and supportive environment for all.

Yours sincerely,  
[REDACTED]



## Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> <li>1. A full risk assessment shall be undertaken at the premises to identify potential hazards posed to staff and/or customers and set out precautions to manage the hazards. This risk assessment shall be regularly reviewed (at least every 12 months). All staff shall be made aware of the risk assessment and the precautionary measures to take. A copy shall be kept on the premises and made available for inspection.</li> <li>2. The premises shall display prominent signage indicating in all areas where alcohol is located that it is an offence to sell alcohol to anyone who is drunk.</li> <li>3. A 'Duty of Care' policy regarding persons suffering adversely from the effects of drink shall be in place. The policy shall express that every effort shall be made by staff to prevent patrons from deteriorating to an uncontrolled intoxicated extent and all staff shall be briefed on the policy.</li> <li>4. Drink-aware posters shall be displayed in the premises to remind customers of the unit content in alcoholic drinks and the safe alcohol consumption limits.</li> <li>5. Trained First-Aider(s) shall be on duty whenever the premises licence is in use. All staff shall be given basic first aid training.</li> <li>6. A First Aid/Quiet room shall be located downstairs and shall be available to anyone that requires medical attention.</li> <li>7. The premises shall, at all times, provide potable water from a dispenser, and tell all customers where it is and to help themselves.</li> <li>8. No promotional social media communication shall be carried on for the purpose of encouraging the sale or supply of alcohol at the premises, which can reasonably be considered to condone, encourage or glamorise antisocial behaviour or to refer to the effects of drunkenness in any favourable manner.</li> <li>9. Customers permitted to temporarily leave then re-enter the premises to smoke shall be restricted to a designated smoking area defined as by the area outside the front of the café. No more than 10 customers shall be permitted to remain in the designated smoking area at any one time.</li> <li>10. At 4.30pm each day the area immediately outside the premises at the front shall be swept and/or washed, and litter and sweepings collected and disposed of correctly.</li> <li>11. A noise-limiting device shall be installed and shall operate at all times regulated entertainment takes place at the premises. The device shall be of a type, in a location and set at a level of 41dB, as per professional Acoustic Consultants recommendation.</li> </ol>	N/A	Applicant

## Schedule of Licence Conditions

<p>12. There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.</p> <p>13. The Premises Licence Holder shall, so far as is reasonably practicable, take such steps as to ensure that people on, or leaving, the licensed premises conduct themselves in an orderly manner, and do not cause annoyance to the neighbourhood.</p> <p>14. Disposal of refuse, such as waste bottles, into external receptacles (where the noise shall be audible to neighbouring properties) shall be done before 6.00pm.</p> <p>15. The maximum number of customers permitted to use the public highway at the front of the premises shall be limited to 10 (ten) at any time.</p> <p>16. To these ends, a 'Noise Management' policy shall be put in place that sets out measures to prevent noise breakout from the premises caused by excessively loud customers. Staff shall be briefed on this policy.</p> <p>17. Any and all of the following incidents shall be noted, including pertinent details and, as appropriate, reported promptly so that investigations can be made and action taken:</p> <ul style="list-style-type: none"> <li>a) alleged crimes reported to the venue or by the venue to the police;</li> <li>b) complaints received;</li> <li>c) incidents of disorder;</li> <li>d) seizures of drugs, offensive weapons, fraudulent ID or other items;</li> <li>e) faults in the CCTV system, searching equipment or scanning equipment;</li> <li>f) refusal of the sale of alcohol;</li> <li>g) any visit by a responsible authority or emergency service.</li> </ul> <p>18. An incident log (which may be kept electronically) shall be kept at the premises for at least six months and made available on request to the police or an authorised officer of the licensing authority.</p> <p>19. No person under the age of 16 years of age shall be permitted to enter or remain on the licensed premises when alcohol is being sold or supplied unless they are accompanied by an adult.</p> <p>20. The 'Challenge 25' Scheme shall 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.</p>		
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## Schedule of Licence Conditions

<p>21. The premises shall display prominent signage in all areas where alcohol is located that the Challenge 25 scheme is in operation.</p> <p>22. The premises shall display prominent signage indicating at the entrance to the premises, or in all areas where alcohol is located 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>23. A refusals record shall be kept at the premises which details all refusals to sell alcohol. This record shall 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 shall be made available for inspection and copying within 24hrs of a request by an officer of a Responsible Authority.</p> <p>24. Unopened spirits and bar supplies shall be behind a locked door.</p> <p>25. CCTV cameras shall be located within the premises to cover all public areas including all entrances and exits (as specified in Cafe Cameras Layout image).</p> <p>26. The CCTV system shall record clear images permitting the identification of individuals.</p> <p>27. The CCTV system shall be able to a minimum of 24 frames per second and all recorded footage shall be securely retained for a minimum of 28 days.</p> <p>28. The CCTV system shall operate at all times while the premises are open to the public or whenever it is activated by movement.</p> <p>29. All CCTV equipment shall have a constant and accurate time and date generation.</p> <p>30. The CCTV equipment shall be fitted with security functions to prevent recordings being tampered with, i.e. password protected.</p> <p>31. There shall be at least one member of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).</p> <p>32. All staff authorised to sell alcohol shall be trained in:</p> <ol style="list-style-type: none"> <li>a) basic first aid;</li> <li>b) relevant age restrictions in respect of products;</li> <li>c) preventing underage sales;</li> <li>d) preventing proxy sales;</li> <li>e) maintaining the refusals log;</li> <li>f) recognising signs of drunkenness and vulnerability;</li> <li>g) how over-service of alcohol impacts on the four objectives of the Licensing Act 2003;</li> </ol>		
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## Schedule of Licence Conditions

<p>h) how to refuse service;</p> <p>i) the premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment; and how to report issues of modern slavery and trafficking;</p> <p>j) action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services;</p> <p>k) the conditions in force under this licence.</p> <p>33. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.</p> <p>34. Training shall be done 1:1 by the DPS and shall include test questions to evidence that the trainee has gained knowledge and understanding of the training.</p>		
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
<p>35. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.</p> <p>36. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.</p> <p>37. Notices shall be displayed in any area used for smoking requesting that patrons respect the needs of local residents and to use the area quietly.</p> <p>38. A prominent, clear and legible notice shall be displayed at the exit to the premises asking customers to respect the needs of local residents and to leave the area quietly.</p> <p>39. The emptying of bins into skips, and refuse collections, shall not take place between 2200 and 0800hours.</p>	Yes	Licensing and Out of Hours

**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 14 August 2023

**Subject:** Panacea, Basement, Ridgefield 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

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Contact Officers:**

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Name: Patrick Ware  
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Telephone: 0161 234 4858  
E-mail: [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)

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**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.	
<b>Licensing and Out of Hours Compliance</b>	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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<b>PREMISE NAME:</b>	Panacea
<b>PREMISE ADDRESS:</b>	Basement, Ridgefield House, 14 John Dalton Street, Manchester, M2 6JR
<b>WARD:</b>	Deansgate
<b>HEARING DATE:</b>	31/07/2023

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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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**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;">                     N/A                 </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	2011

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			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

n/a .

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)			
Mon						
Tue						
Wed			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)			
Thur						
Fri			<b><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></b> (please read guidance note 6)			
Sat						
Sun						

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	N/A
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

<b>Boxing or wrestling entertainments</b> 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 (please read guidance note 3)</u>  <div style="font-size: 2em; font-family: cursive;">N/A</div>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

## E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finis h		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	11:00	04:00	<b>Please give further details here</b> (please read guidance note 4)		
Tue	11:00	04:00			
Wed	11:00	04:00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Thur	11:00	04:00			
Fri	11:00	04:00	<b>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</b> (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
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 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

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> 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	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri					
Sat			<b><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></b> (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	<b>Please give further details here</b> (please read guidance note 4)		
Tue	23:00	04:30			
Wed	23:00	04:30	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
Thur	23:00	04:30			
Fri	23:00	04:30	<b>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</b> (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	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)			
Tue	11:00	04:00				
Wed	11:00	04:00				
Thur	11:00	04:00		<b>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</b> (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><b>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</b> (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 18s 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 Challenge 25 ID 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 order to take 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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [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).</li> <li>• 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</li> </ul>
--------------------	--

	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 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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.

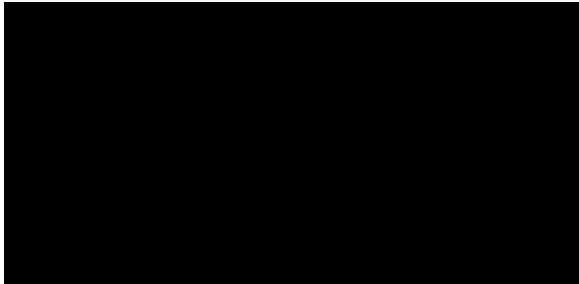
Regards

[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.

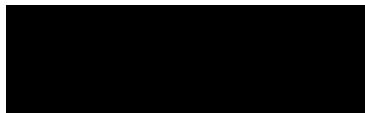
Personal licence number

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  
CHORLEY ROAD  
SALFORD M27 5AW

Signed



Name (please print)

LAURO ANDRE CARVALHO MACEDO

Date

13/4/2023

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# GREATER MANCHESTER POLICE - REPRESENTATION

## About You

Name	<b>PC Alan Isherwood</b>
Address including postcode	1 <sup>st</sup> 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.	<b>LPA 287310</b>
Name of the Premises	<b>Panacea</b>
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"> <li>1. No selling of alcohol to underage people.</li> <li>2. No drunk and disorderly behaviour on or off the premises when leaving.</li> <li>3. Vigilance in preventing the use and sale of drugs on or off the premises in retail areas.</li> <li>4. No violence and anti-social behaviour allowed.</li> <li>5. CCTV system in use and cameras to monitor entrances, exits and other parts of the premises.</li> <li>6. Well trained staff adherence to environmental health requirements, training and implementation of underage ID checks (Challenge 25).</li> <li>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.</li> <li>8. Internal and external lighting fixed to promote the Public Safety objective.</li> <li>9. A logbook or recording system will be maintained on the premises in which shall be entered particulars of inspections made.</li> <li>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.</li> <li>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.</li> </ol>	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.

Document is Restricted

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## Manchester City Council

### Report for Resolution

**Report to:** Licensing Subcommittee Hearing Panel – 14 August 2023

**Subject:** Cosy Club, Unit 1.03, The Corn Exchange, Exchange Square, Manchester, M4 3TR - App ref: Premises Licence variation 289551

**Report of:** Director of Planning, Building Control and Licensing

#### Summary

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

#### Recommendations

That the Committee 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 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	

**Full details are in the body of the report, along with any implications for:**

Equal Opportunities Policy  
 Risk Management  
 Legal Considerations

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**Financial Consequences – Revenue** None

**Financial Consequences – Capital** None

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**Contact Officers:**

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

Name: Ashia Maqsood  
 Position: Technical Licensing Officer  
 Telephone: 0161 234 4139  
 E-mail: [premises.licensing@manchester.gov.uk](mailto: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 23/06/2023, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of Cosy Club, Unit 1.03, The Corn Exchange, Exchange Square, Manchester, M4 3TR in the Deansgate 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 Loungers UK 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 applied for is as follows:
1. To allow for off sales of alcohol at all times on sales of alcohol are currently permitted by the licence- 1000-2330 Sunday to Wednesday and 1000-0100 Thursday to Saturday.
  2. To allow for the provision of regulated entertainment (live music, recorded music and anything of a similar description) between 2300 New Year's Eve and 0800 New Year's Day
  3. To remove the non-standard timings and restrictions for New Year's Eve for the sale of alcohol (New Year's Eve 1000 to 0200) , the provision of late night refreshment (New Year's Eve 2300 to 0230) and opening hours (New Year's Eve 0800 to 0230)
  4. To include in Annex 2 the following condition

The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day

### Proposed hours and licensable activities:

Provision of regulated entertainment (live music, recorded music, anything of a similar description to live music, recorded music or performances of dance):

Indoors

New Year's Eve 11pm to New Year's Day 8am

### Supply of alcohol for consumption both on and off the premises:

Sun to wed 10am to 11.30pm

Thurs to Sat 10am to 1am

*Please note-current hours are as above for consumption on the premises only*

### Opening Hours

No change from current hours however the applicant requested a seasonal variation on New Year's Eve and New Year's day (no restriction)

- 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 4**.

### 3.5 Further documentation accompanying the application

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

## 4. Relevant Representations

4.1 A total of 1 relevant representation was received in respect of the application (**Appendix 5**).

### Responsible Authorities

- MCC Licensing and Out of Hours Compliance Team;

4.2 Summary of the representations:

Party	Grounds of representation	Recommends
<b>Licensing and Out of Hours Compliance (LOOH)</b>	LOOH have stated that the additional condition proposed by the applicant is insufficient to uphold the licensing objectives and so wish for additional conditions to be attached to the licence.	Grant with additional conditions

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

4.4 At the time of compiling this report, agreements on conditions have not been reached between parties

## 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:

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- 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.

MS2      Effective general management of the premises

MS3      Responsible promotion and sale of alcohol

- MS5 Prevent on-street consumption of alcohol
- MS7 Maintain a safe capacity
- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)

***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.

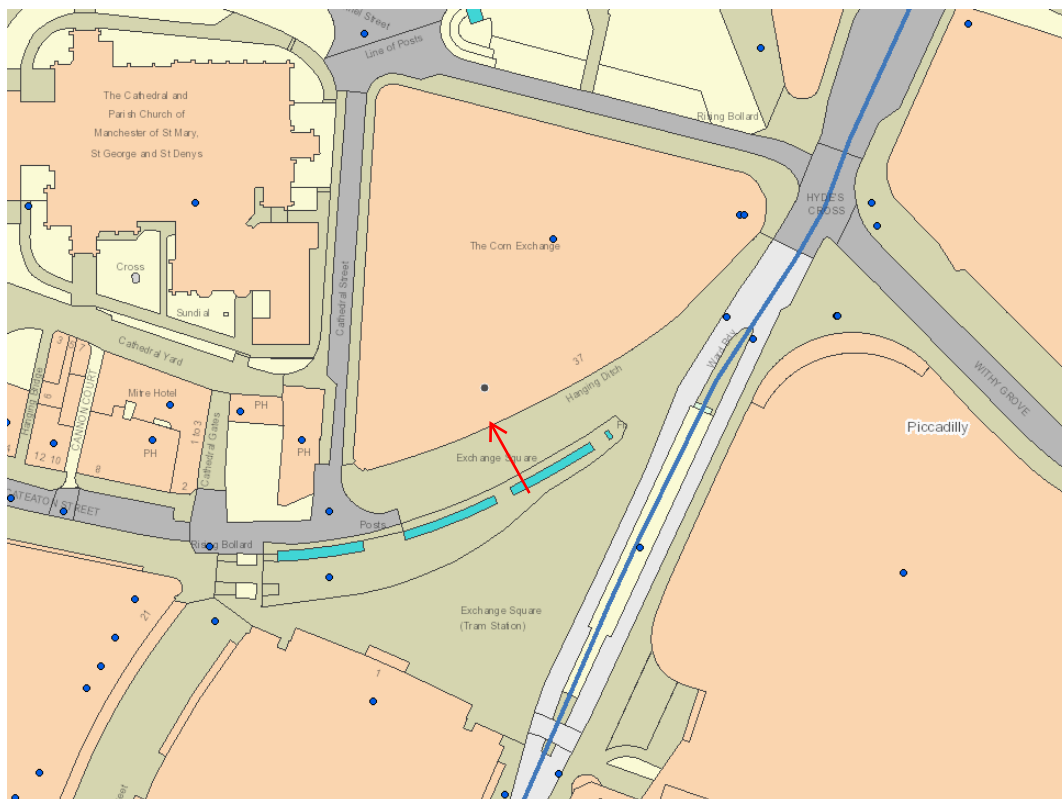
**6. Conclusion**

- 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.**

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<b>PREMISE NAME:</b>	Cosy Club
<b>PREMISE ADDRESS:</b>	Unit 1.03, The Corn Exchange, Exchange Square, Manchester, M4 3TR
<b>WARD:</b>	Deansgate
<b>HEARING DATE:</b>	14/08/2023

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# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	175348
Granted	22/05/2015
Latest version	DPS variation 283447 granted 14/12/2022

### Part 1 - Premises details

Name and address of premises
<b>Cosy Club</b> Unit 1.03, The Corn Exchange, Exchange Square, Manchester, M4 3TR

Licensable activities authorised by the licence
<ol style="list-style-type: none"> <li>1. The sale by retail of alcohol*.</li> <li>2. The provision of late night refreshment.</li> </ol> <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	1000	1000	1000	1000	1000	1000	1000
Finish	2330	2330	2330	0100	0100	0100	2330
The sale of alcohol is licensed for consumption on the premises only.							
Seasonal variations and Non-standard Timings: New Year's Eve 1000 to 0200							

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	2400	2400	2400	0130	0130	0130	2400
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings: New Year's Eve 2300 to 0230							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0800	0800	0800	0800	0800	0800	0800
Finish	2400	2400	2400	0130	0130	0130	2400
Seasonal variations and Non-standard Timings: New Year's Eve 0800 to 0230							

## Part 2

Details of premises licence holder	
Name:	Loungers UK Limited
Address:	26 Baldwin Street, Bristol, BS1 1SE
Registered number:	04595806

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	Alexander Smith
Issuing Authority:	Oldham 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. Overcrowding shall not be permitted in any part of the premises.
2. The premises licence holder, or the person appointed to be in charge of the premises when licensable activity is taking place, shall provide or have unhampered use of a telephone on the premises for use in an emergency.
3. Management and staff shall be in attendance in the trading area at all times that alcohol is sold or supplied.
4. An effective and adequate CCTV system equipped with a recording facility shall be installed maintained and operated at the premises and shall be capable of providing images of identification standard. The system shall display on the recordings the correct date and time and images shall be retained for 31 days. The siting of the cameras shall be in consultation with the Police Crime Reduction officer.
5. The premises licence holder shall require the designated premises supervisor or in his/her absence other responsible person, to maintain an incident/refusals in a bound logbook in which full details of all incidents are recorded. This shall give details of any refused sales and shall give details of persons involved, incident description, time and date, actions taken and the final outcome of the situation. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed and by whom, is to form part of the entry. The logbook shall be kept on the premises at all times and shall be made available to an authorised officer of the licensing authority or a police constable upon request.
6. Sufficient numbers and types of fire fighting equipment shall be installed at the premises and shall be maintained and serviced according to the manufacturer's instructions.
7. Background music shall not emanate from the premises so as to cause a

nuisance to nearby properties.

8. The licence holder shall liaise with the police or officers of the local authority, in the implementation of any initiatives to combat crime, disorder, anti social behaviour or nuisance in the vicinity.
9. The management shall take reasonable steps to encourage customers to leave the premises quietly and respect local residents.
10. The management and staff shall ensure that the premises and the area immediately abutting the frontage of the premises is kept free from litter.
11. Staff shall be provided with comprehensive, ongoing training to make them aware of all legislation relevant to their employment. This training shall include the prevention of underage sales and how to deal with difficult customers. This training shall be logged and recorded and signed and dated by the trainer and the member of staff receiving the training. This documentation shall be retained and made available upon request to an officer of the licensing authority or an officer of the police.
12. An approved proof of age scheme such as "Challenge 25" shall be adopted, implemented and advertised within the premises, whereby an accepted form of photographic identification, shall be requested before any alcohol is sold to any person that appears to be under 25. Acceptable proof of age shall include PASS approved proof of age card, photo card driving licence and passport.

Annex 3 – Conditions attached after hearing by the licensing authority

Not applicable

Annex 4 – Plans

See attached



**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 Loungers UK Limited

*(Insert name(s) of applicant)*

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

**Premises licence number**

175348

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
Cosy Club Unit 1.03 Corn Exchange, 37 Hanging Ditch			
Post town	Manchester	Postcode	M4 3TR

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£154,000

**Part 2 – Applicant details**

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	26 Baldwin Street		
Post town	Bristol	Postcode	BS1 1SE

**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			

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

The premises is a food led café bar. The variation is to do the following:

1. To allow for off sales of alcohol at all times on sales of alcohol are currently permitted by the licence i.e. 1000-2330 Sunday to Wednesday and 1000-0100 Thursday to Saturday.
2. To remove the non-standard timings for New Year's Eve for the sale of alcohol, the provision of late night refreshment and opening hours.
3. To include in Annex 2 the following condition "The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day."
4. To allow for the provision of regulated entertainment between 2300 New Year's Eve and 0800 New Year's Day.
5. To remove restrictions to opening hours on New Year's Eve and New Year's Day.

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 see guidance note 3) Please tick all that apply**

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

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

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

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

## B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Wed			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
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 7)
Fri			
Sat			
Sun			

## D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" 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 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6) New Year's Eve 23:00 until New Year's Day 08:00		
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 7)		
Sat					
Sun					



F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" 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 5)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6) New Year's Eve 23:00 until New Year's Day 08:00		
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 7)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon				<b><u>Please give further details here</u></b> (please read guidance note 5)	
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Thur					
Fri			<b><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></b> (please read guidance note 7)		
Sat					
Sun					

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing  <b>Anything similar to live or recorded music.</b>		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6) New Year's Eve 23:00 until New Year's Day 08:00		
Fri					
Sat			<b><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></b> (please read guidance note 7)		
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 5)	Both	<input type="checkbox"/>
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Thur					
Fri			<b><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></b> (please read guidance note 7)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)		
Mon	10:00	23:30			
Tue	10:00	23:30			
Wed	10:00	23:30			
			<b>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</b> (please read guidance note 7)		
Thur	10:00	01:00			
Fri	10:00	01:00			
Sat	10:00	01:00			
Sun	10:00	23:30			

K

<p><b>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</b> (please read guidance note 10).</p> <p>NA</p>
--

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b><u>State any seasonal variations</u></b> (please read guidance note 6)  New Year's Eve/Day no restriction.
Day	Start	Finish	
Mon	08:00	24:00	
Tue	08:00	24:00	
Wed	08:00	24:00	
Thur	08:00	01:30	
Fri	08:00	01:30	
Sat	08:00	01:30	
Sun	08:00	24:00	

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.

None.

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 11)**

The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

**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; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- 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, 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.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	<i>Winckworth Sherwood LLP</i>
Date	23/06/2023
Capacity	Agent

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 14). **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 15)

██████████  
Winckworth Sherwood LLP  
Minerva House  
5 Montague Close

Post town	London	Post code	SE1 9BB
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. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:

- any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  5. 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.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  8. 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.
  9. 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'.
  10. 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.
  11. Please list here steps you will take to promote all four licensing objectives together.
  12. The application form must be signed.

13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

## Schedule of Licence Conditions

Additional Condition proposed by the applicant	Agreed	Proposed by
1. The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
<p>1. Door supervisors shall be employed by the premises based upon a risk assessment carried out in relation to the following factors</p> <ul style="list-style-type: none"> <li>o Size of the venue</li> <li>o Expected attendance</li> <li>o Type of event taking place</li> <li>o Location of the premises</li> <li>o Time of year</li> <li>o Special occasion (New Year, Halloween, Local events etc.)</li> </ul> <p>2. All door supervisors, and other persons engaged at the premises for the purpose of supervising or controlling queues or customers, must wear high visibility armbands.</p> <p>3. Any door supervisors on duty at the premises must be supplied by an SIA-Approved Contractor Scheme company.</p> <p>4. When employed, a register of those door staff employed shall be maintained at the premises and shall include:</p> <ul style="list-style-type: none"> <li>• the number of door staff on duty;</li> <li>• the identity of each member of door staff</li> <li>• the times the door staff are on duty</li> </ul> <p>5. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area. <i>(not agreed)</i></p>	Conditions 1 to 4 agreed	Licensing and Out of Hours

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**MANCHESTER  
CITY COUNCIL**

**Licensing & Out of Hours Compliance Team - Representation**

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

**Premise Details**

Application Ref No	289551AM2:
Name of Premises	Cosy Club
Address	Unit 1.03, The Corn Exchange, Exchange Square, Manchester, M4 3TR

**Representation**

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

The Licensing Out Of Hours Team (LOOHT) have assessed the likely impact of the grant of this application taking into account a number of factors, including the nature of the area in which the premises is located, the hours applied for and any potential risk the granting of this application could lead to including issues of public nuisance.

The premises is located within The Corn Exchange, a building shared with commercial offices and other licence premises. The premise is neighbored by a number of licence premises, restaurants and bars who have table and chairs licensed frontages for customers to seated outside on Exchange square

The applicant has applied:

- To allow for off sales of alcohol at all times on sales of alcohol are currently permitted by the licence i.e. 1000-2330 Sunday to Wednesday and 1000-0100 Thursday to Saturday.
- 
- To remove the non-standard timings for New Year's Eve for the sale of alcohol, the provision of late night refreshment and opening hours.
- To include in Annex 2 the following condition "The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day."
- To allow for the provision of regulated entertainment between 2300 New Year's Eve and 0800 New Year's Day.
- To remove restrictions to opening hours on New Year's Eve and New Year's Day.

As a result of this assessment, we have concerns that the existing conditions on the Cosy Club Premises Licence 175348 are unlikely to be adequate to support the

applicant with upholding the licensing objectives should the Premises Licence Variation application be granted.

LOOHT recommends the application is approved with the conditions listed below:

1. Door supervisors shall be employed by the premises based upon a risk assessment carried out in relation to the following factors:
  - Size of the venue
  - Expected attendance
  - Type of event taking place
  - Location of the premises
  - Time of year
  - Special occasion (New Year, Halloween, Local events etc.)
2. All door supervisors, and other persons engaged at the premises for the purpose of supervising or controlling queues or customers, must wear high visibility armbands.
3. Any door supervisors on duty at the premises must be supplied by an SIA-Approved Contractor Scheme company.
4. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
  - the number of door staff on duty;
  - the identity of each member of door staff,
  - the times the door staff are on duty.
5. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.

Recommendation: Approve with Conditions (Outlined Above)



**From:** [REDACTED]  
**Sent:** 02 August 2023 11:13  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Cc:** Bob Cain [REDACTED]  
**Subject:** FW: Premises Licence Variation application 289551AM2: Cosy Club, Unit 1.03, The Corn Exchange, Exchange Square, Manchester, M4 3TR

Hi Ashia

Thank you for your email below.

Our client agrees the following conditions:

1. Door supervisors shall be employed by the premises based upon a risk assessment carried out in relation to the following factors:

- o Size of the venue
- o Expected attendance
  - o Type of event taking place
  - o Location of the premises
  - o Time of year
- o Special occasion (New Year, Halloween, Local events etc.)

2. All door supervisors, and other persons engaged at the premises for the purpose of supervising or controlling queues or customers, must wear high visibility armbands.

3. Any door supervisors on duty at the premises must be supplied by an SIA-Approved Contractor Scheme company.

4. When employed, a register of those door staff employed shall be maintained at the premises and shall include:

- o the number of door staff on duty;
- o the identity of each member of door staff,
- o the times the door staff are on duty.

Our client does not agree the final condition regarding open containers. The off sales is for very occasional use – we have had TENS previously. I can try and send some images of what we have in mind if this will assist.

Thanks

[REDACTED]

**Re: Premises Licence Variation application 289551AM2: Cosy Club, Unit 1.03, The Corn Exchange, Exchange Square, Manchester, M4 3TR**

BC

Bob Cain [REDACTED]

To [REDACTED]

Thu 03/08/2023 10:13

Hi [REDACTED]

Thank you for your email to confirm your client's agreement to 4 out of the 5 conditions recommended by Licensing and Out Of Hours for Cosy Club Premises Licence Variation application.

I must advise that Manchester City Council have a City Centre Public Spaces Protection Order ( PSPO ) that states " No person shall consume alcohol in a public place in the Restricted Area".

The reason for LOOH requesting condition 5."Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area". is because we do not want Licence Premises in the City Centre encouraging customers to breach the PSPO by leaving their premises with unsealed alcohol drinks.

I have attached link below for you to view the City Centre Public Spaces Protection Order:

[https://www.manchester.gov.uk/info/200030/crime\\_antisocial\\_behaviour\\_and\\_nuisance/7983/city\\_centre\\_public\\_space\\_protection\\_order](https://www.manchester.gov.uk/info/200030/crime_antisocial_behaviour_and_nuisance/7983/city_centre_public_space_protection_order)

I have attached a PSPO leaflet detailing the PSPO restrictions .

If you would like further information on the above matter, please do not hesitate to contact me

Kind Regards

Bob Cain  
Compliance Officer  
Licensing and OOH Compliance Team

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 – 14 August 2023

**Subject:** Finders Keepers, 7 Keepers Quay, Manchester, M4 6JL - App ref: Premises Licence (new) 289496

**Report of:** Director of Planning, Building Control and Licensing

**Summary**

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

**Recommendation**

That the Panel determine the application.

**Wards Affected:** Ancoats and Beswick

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

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

Equal Opportunities Policy  
 Risk Management  
 Legal Considerations

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**Financial Consequences – Revenue** None

**Financial Consequences – Capital** None

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**Contact Officers:**

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

Name: Colette Jackson  
 Position: Technical Licensing Officer  
 Telephone: 0161 234 4399  
 E-mail: [premises.licensing@manchester.gov.uk](mailto: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 22/06/2023, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Finders Keepers, 7 Keepers Quay, Manchester, M4 6JL in the Ancoats and Beswick 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 Mangeo Hospitality Ltd.
- 2.3 The description of the premises given by the applicant is "high-end table service cocktail bar."
- 2.4 The proposed designated premises supervisor is Mr Mark Smallwood
- 2.5 **The licensable activities applied for:**

Provision of late-night refreshment (indoors).  
Fri to Sat 11pm to 11.30pm

Non-standard timings  
From the start time on New Year's Eve to the terminal hour for New Year's Day. On Bank Holidays and days preceding Bank Holidays until 11.30pm

The supply of alcohol for consumption both on and off the premises:  
Sun to Thurs 10am to 11pm, Fri to Sat 10am to 11.30pm

Non-standard timings  
From the start time on New Year's Eve to the terminal hour for New Year's Day. On Bank Holidays and days preceding Bank Holidays until 11.30pm

Opening hours:

Mon to Thurs 8am to 11.30pm, Fri to Sat 8am to 12 midnight, Sun 9am to 11.30pm

## Non-standard timings

From the start time on New Year's Eve to the terminal hour for New Year's Day. On Bank Holidays and days preceding Bank Holidays until 12 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**.

## 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 2**:

- Smoking Policy
- Dispersal Policy

## 3. **Relevant Representations**

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

Other Persons:

- Residents (x1).



## 3.2 Summary of the representations:

Party	Grounds of representation	Recommends
<b>Residents (x1)</b>	The resident has concerns regarding noise, litter and patrons smoking outside in close proximity to their residence. The resident has questions as to why the premises needs to be open from 8am and close at a late hour.	None

3.3 No conditions were proposed by the objector.

3.4 The applicant emailed the objector on 20/07/2023, a copy of this email has been attached in Appendix 3.

#### 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 5: Special Policy Area***

The premises is located within the following special policy area:

##### Ancoats and New Islington

The effect of the special policy is that the Council will generally only permit licensable activities for premises in the Ancoats and New Islington Regeneration Framework area until the terminal hours set out below whenever it receives relevant representation, unless an applicant can demonstrate there are exceptional circumstance to justify a departure from the policy in the individual circumstances:

11pm (Sunday to Thursday)

12am midnight (Friday, Saturday)

The special policy applies to on and off sales of alcohol. Where alcohol is sold for consumption on the premises, our policy will be to generally provide 30 minutes 'drinking up' time between the terminal hour for the sale of alcohol and the closing time of the premises.

#### ***Section 6: What we aim to encourage***

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

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

### ***Section 7: Local factors***

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

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

- Evidence of pre-existing problems in the area
- Consistency with relevant Council strategies
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Ability to clean and maintain the street scene

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

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

- MS2 Effective general management of the premises
- MS5 Prevent on-street consumption of alcohol
- MS8 Prevent noise nuisance from the premises
- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse

### ***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.

### **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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Finders Keepers  
 7 Keepers Quay, Manchester, M4 6JL  
 Premises Licensing  
 Manchester City Council

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<b>PREMISE NAME:</b>	Finders Keepers
<b>PREMISE ADDRESS:</b>	7 Keepers Quay, Manchester, M4 6JL
<b>WARD:</b>	Ancoats and Beswick
<b>HEARING DATE:</b>	14/08/2023

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

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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 **MANGEO HOSPITALITY 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 Finders Keepers, 7 Keepers Quay, Mansion House, New Islington			
Post town	MANCHESTER	Postcode	M4 6GL
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ UNKNOWN	

**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 type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>			I am 18 years old or over <input type="checkbox"/> Please tick yes		
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
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)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>			I am 18 years old or over <input type="checkbox"/> Please tick yes		
<b>Nationality</b>					
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	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(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 MANGE0 HOSPITALITY LTD
Address FLAT 65, SMITHS YARD, 43 BLOSSOM STREET, MANCHESTER, M4 6AJ
Registered number (where applicable)  14769450
Description of applicant (for example, partnership, company, unincorporated association etc.) PRIVATE LIMITED COMPANY

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

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
2	1	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)  
**High-end table service cocktail bar.**

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Wed			<b><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></b> (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					



**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)					
Mon								
Tue								
Wed								
Thur								
Fri								
Sat								
Sun								
						<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
						<b><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></b> (please read guidance note 6)		

C

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

## D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>		
Day				Start	Finish	Outdoors	<input type="checkbox"/>
						Both	<input type="checkbox"/>
Mon				<b><u>Please give further details here</u></b> (please read guidance note 4)			
Tue							
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)				
Thur							
Fri			<b><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></b> (please read guidance note 6)				
Sat							
Sun							

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Wed					
Thur			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Thur			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun			<b><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></b> (please read guidance note 6)		

**G**

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

## H

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

## I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>	
Day				Start	Finish	
Mon				<b><u>Please give further details here</u></b> (please read guidance note 4) all outdoor seating removed by 10pm. We plan to mirror FLAWD opening hours		
Tue						
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)			
Thur						
Fri			<b><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></b> (please read guidance note 6) From the start time on New Year's Eve to the terminal hour for New Year's Day. On Bank Holidays and days preceding Bank Holidays until 23:30.			
Sat						
Sun						
				Outdoors	<input type="checkbox"/>	
				Both	<input type="checkbox"/>	
	23:00	23:30				
	23:00	23:30				



**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	10:00	23:00			
Tue	10:00	23:00			
Wed	10:00	23:00			
Thur	10:00	23:00			
Fri	10:00	23:30			
Sat	10:00	23:30			
Sun	10:00	23:00	<b>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</b> (please read guidance note 6)		
			From the start time on New Year's Eve to the terminal hour for New Year's Day. On Bank Holidays and days preceding Bank Holidays until 23:30.		

**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):**

<b>Name</b> Mark Smallwood	
<b>Date of birth</b> [REDACTED]	
<b>Address</b> [REDACTED]	
<b>Postcode</b> [REDACTED]	
<b>Personal licence number (if known)</b>	160677
<b>Issuing licensing authority (if known)</b>	MANCHESTER CITY COUNCIL

**K**

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

**L**

<p><b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)</p>			<p><u>State any seasonal variations</u> (please read guidance note 5)</p>
Day	Start	Finish	<p><b><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></b> (please read guidance note 6) From the start time on New Year's Eve to the terminal hour for New Year's Day. On Bank Holidays and days preceding Bank Holidays until 00:00.</p>
Mon	08:00	23:30	
Tue	08:00	23:30	
Wed	08:00	23:30	
Thur	08:00	23:30	
Fri	08:00	00:00	
Sat	08:00	00:00	
Sun	09:00	23:30	

## 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)**

Please see attached operating schedule and policies.

**b) The prevention of crime and disorder**

Please see attached operating schedule and policies.

**c) Public safety**

Please see attached operating schedule and policies.

**d) The prevention of public nuisance**

Please see attached operating schedule and policies.

**e) The protection of children from harm**

Please see attached operating schedule and policies.

**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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [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).</li> <li>• 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</li> </ul>
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	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	21/06/2023
Capacity	MANAGING DIRECTOR

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

Signature	
Date	
Capacity	

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

Page: Details of the DPS

Have you been nominated as DPS on either:

A new premises licence

Has the application nominating you as a DPS been submitted?

No

Page: Details of the prospective DPS

Full name

MARK SMALLWOOD

House or flat number, or building name

█

Street name

████████████████████

Postcode

██████

Email address

██

Daytime phone number

██████████

Name of the person that has nominated you to be the DPS

██████████████████ / MANGEO HOSPITALITY LTD

Name and address of the premises

Finders Keepers, 7 Keepers Quay, Mansion House, New Islington, M4 6GL

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

I give consent

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

██████████████████ or MANGEO HOSPITALITY LIMITED

Do you hold a personal licence?

Yes

What is your personal licence number?

160677

Which local authority (name, address and telephone number) issued the personal licence?

Manchester City Council, Albert Square

Manchester

M60 2LA

Page: Declaration

I can confirm that...

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

I understand that by submitting this application...

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

I declare that...

the information provided is true to the best of my knowledge and belief

I understand that...

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

I understand...

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

Where a statutory declaration has been provided I understand...

it may be forwarded to Greater Manchester Police

I confirm...

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

## Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<p><b><u>A) The Prevention of Crime and Disorder</u></b></p> <p>A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.</p> <p>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>CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.</p> <p>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>SIA registered door staff shall be employed at the premises, in accordance with a risk assessment, to be carried out by the DPS. When employed, door staff will wear high visibility armbands.</p> <p>When employed, a register of those door staff employed shall be maintained at the premises and shall include:</p> <ul style="list-style-type: none"> <li>the number of door staff on duty;</li> <li>the identity of each member of door staff;</li> <li>the times the door staff are on duty.</li> </ul> <p>Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.</p> <p>Staff will be trained in the requirements of the Licensing Act 2003 with regard to the Licensing Objectives, and the laws relating to under age sales and the sale of alcohol to intoxicated persons, and that training shall be documented and repeated at 6 monthly intervals.</p> <p>A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.</p> <p><b><u>B) Public Safety</u></b></p> <p>A first aid box will be available at the premises at all times.</p> <p>Regular safety checks shall be carried out by staff.</p> <p>Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.</p>	N/A	Applicant



## Schedule of Licence Conditions

<p>The premises shall maintain an Incident Log and public liability insurance.</p> <p><b><u>C) The Prevention of Public Nuisance</u></b></p> <p>Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.</p> <p>No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.</p> <p>The exterior of the building shall be cleared of litter at regular intervals.</p> <p>Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.</p> <p>Doors and windows at the premises are to remain closed after 11pm, save for access and egress.</p> <p>A Dispersal and Smoking Policy will be implemented and adhered to.</p> <p>The emptying of bins into skips, and refuse collections will not take place between 11pm and 7am.</p> <p><b><u>D) The Protection of Children From Harm</u></b></p> <p>A "Challenge 25" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of ID are photographic driving licences, passports, HM forces warrant cards, EU/EEA national ID card or similar document or a form of identification with the "PASS" hologram.</p> <p>Staff training will include the Challenge 25 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.</p> <p>Notices advising what forms of ID are acceptable must be displayed.</p> <p>Notices must be displayed in prominent positions indicating that the Challenge 25 policy is in force.</p> <p><b><u>Smoking and Al Fresco Dining Policy</u></b></p> <p>Any outside area used by customers wishing to dine, drink or smoke shall be clearly delineated and covered by the CCTV system</p>		
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## Schedule of Licence Conditions

<p>which will be installed at the premises.</p> <p>The outside area shall be monitored by staff or door staff (when employed) regularly when it is in use.</p> <p>The area will be cleaned regularly.</p> <p>Suitable receptacles shall be provided for smokers to dispose of cigarette butts.</p> <p>Signs will be displayed in the area requesting customers keep noise to a minimum.</p> <p>Patrons who disregard signage and verbal instructions regarding noise will be asked to move inside and/or leave the premises.</p> <p>Open containers of alcohol shall not be permitted to be taken beyond the boundary of the outside area.</p> <p><b><u>Dispersal Policy</u></b></p> <p>The purpose of this Dispersal Policy is to ensure, so far as it is possible, that minimum disturbance or nuisance is caused to our neighbours and to ensure that the operation of the premises makes the minimum impact upon the neighbourhood in relation to potential nuisance and anti-social behaviour.</p> <p>This will be achieved by exercising pro-active measures towards and at the end of the evening.</p> <p>By ensuring that this Dispersal Policy document is brought to the attention of Management and Staff we will seek to encourage the efficient, controlled and safe dispersal of our patrons during our closing period.</p> <p>At the end of the evening management and staff will assist with the orderly and gradual dispersal of patrons.</p> <p>Staff Members (including door personnel when employed) will advise patrons to leave the premises quickly and quietly out of respect for our neighbours.</p> <p>Notices will be displayed requesting our customers to leave quietly and in an orderly manner out of consideration to neighbours and their attention will be drawn to these notices by members of staff.</p> <p>We will ensure the removal of all bottles and drinking receptacles from any patron before exiting the premises (this does not apply in the case of consumption in any delineated external drinking area or in the case of alcohol sold for consumption off the premises).</p>		
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### Schedule of Licence Conditions

We will actively discourage our customers from assembling outside the premises at the end of the evening.		

**FINDERS KEEPERS OPERATING SCHEDULE****A) The Prevention of Crime and Disorder**

1. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.
2. 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.
3. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded on to a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
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. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment, to be carried out by the DPS. When employed, door staff will wear high visibility armbands.
6. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
  - (i) the number of door staff on duty;
  - (ii) the identity of each member of door staff;
  - (iii) the times the door staff are on duty.
7. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.
8. Staff will be trained in the requirements of the Licensing Act 2003 with regard to the Licensing Objectives, and the laws relating to under age sales and the sale of alcohol to intoxicated persons, and that training shall be documented and repeated at 6 monthly intervals.
9. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.

**B) Public Safety**

1. A first aid box will be available at the premises at all times.
2. Regular safety checks shall be carried out by staff.
3. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
4. The premises shall maintain an Incident Log and public liability insurance.

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**FINDERS KEEPERS**

**SMOKING & AL FRESCO POLICY**

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1. Any outside area used by customers wishing to dine, drink or smoke shall be clearly delineated and covered by the CCTV system which will be installed at the premises.
2. The outside area shall be monitored by staff or door staff (when employed) regularly when it is in use.
3. The area will be cleaned regularly and the exterior of the building shall be cleared of litter at regular intervals.
4. Suitable receptacles shall be provided for smokers to dispose of cigarette butts.
5. Signs will be displayed in the area requesting customers keep noise to a minimum.
6. Patrons who disregard signage and verbal instructions regarding noise will be asked to move inside and/or leave the premises.
7. Open containers of alcohol shall not be permitted to be taken beyond the boundary of the outside area.
8. Outdoor seating to be removed no later than 10pm

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**FINDERS KEEPERS  
DISPERSAL POLICY**

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The purpose of this Dispersal Policy is to ensure, so far as it is possible, that minimum disturbance or nuisance is caused to our neighbours and to ensure that the operation of the premises makes the minimum impact upon the neighbourhood in relation to potential nuisance and anti-social behaviour.

This will be achieved by exercising pro-active measures towards and at the end of the evening. By ensuring that this Dispersal Policy document is brought to the attention of Management and Staff we will seek to encourage the efficient, controlled and safe dispersal of our patrons during our closing period.

1. At the end of the evening management and staff will assist with the orderly and gradual dispersal of patrons.
2. Staff Members (including door personnel when employed) will advise patrons to leave the premises quickly and quietly out of respect for our neighbours.
3. Notices will be displayed requesting our customers to leave quietly and in an orderly manner out of consideration to neighbours and their attention will be drawn to these notices by members of staff.
4. We will ensure the removal of all bottles and drinking receptacles from any patron before exiting the premises (this does not apply in the case of consumption in any delineated external drinking area or in the case of alcohol sold for consumption off the premises).
5. We will actively discourage our customers from assembling outside the premises at the end of the evening.

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

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**RES 1**

**From:** [REDACTED]  
**Sent:** 09 July 2023 13:34  
**To:** Premises Licensing <[Premises.Licensing@manchester.gov.uk](mailto:Premises.Licensing@manchester.gov.uk)>  
**Subject:** Re: MANGEO HOSPITALITY LTD - 7 Keepers Quay. - 289496

Dear Colette,  
thank you for sending me the application.

I have a few questions - it's quite a confusing application.

**1. Section I (section i) Late Night Refreshment: start 23:00 Finish 23:30 Friday and Saturday. Indoors**

Does this mean that if NYE falls on a Friday, they'll be open continuously through to Saturday night? Are you able to explain this to me, please.

**2. Section J Supply of Alcohol both inside and outside the premises: Start 10:00, Finish 23:00 or**

**23:30** depending on the day. This includes Sunday. I understood alcohol could not be sold before midday on a Sunday. I am concerned about noise and litter on the promenade and marina. With Flawd next door, folks already take their drinks and consume them away from the area designated to Flawd outside, which I believe is a breach of their licence. I am unable to enjoy my balcony or having the door open due to the noise, music, and smoking. I imagine the same would happen with Finders Keepers. Flawd are required to close their doors from 9pm and for folks to consume their drinks inside from that point on. Finders Keepers application appears to want to serve folks outside up until 2300 or 2330, which is very late. I would request that folks are required to go inside from 9pm, that drinks cannot be consumed outside the premises after this time, and that smoking outside is prohibited. I would also request that the bar is not open every day. Flawd is closed 2 days a week, for comparison. Also for reference, House of Esk has reopened as a gin/cocktail bar, and has much more conservative opening days/hours compared to what Finders Keepers are requesting here.

**3. Section L Hours Premises are Open to the Public: Start 8:00/9:00, Finish 23:30/00:00.** Same as above. Seems like VERY long days. What are they serving from 8am every day?

Thank you very much,  
I look forward to hearing your reply, or a reply from the applicants,

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 01 July 2023 11:41  
**To:** Premises Licensing <[Premises.Licensing@manchester.gov.uk](mailto:Premises.Licensing@manchester.gov.uk)>  
**Subject:** MANGEO HOSPITALITY LTD

Hello,  
I'd like to see the application submitted by MANGEO HOSPITALITY LTD for the address of

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

please, so that I can evaluate it and make a response.

Thank you

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

**EMAIL RESPONSE TO RESIDENT FROM APPLICANT**

----- Forwarded message -----

From: [REDACTED]  
Date: Thu, Jul 20, 2023 at 12:21 PM  
Subject: Finders Keepers - Licensing Application  
To: [REDACTED]  
[REDACTED]

Hi [REDACTED]

My name is [REDACTED] and I am the owner & co-founder of Finders Keepers on New Islington Marina.

Copied in is also my co-founder and partner, [REDACTED]

Firstly, I'd love to give you an insight into myself and my co-founder. We have lived in New Islington / Ancoats for over 8 years, and have loved to watch the development in the area over the last few years. As a couple, we're incredibly supportive of local business, the area and have a strong connection with the community / residents. Our concept for Finders Keepers is to bring more of our neighbourhood together. Our bar will be high end, table service only with a very small amount of covers inside a very relaxed environment with expertly created cocktails.

Regarding your response to our licensing application. We're happy to chat and would love to clear up some of your queries and put your mind at rest regarding some of your points raised.

Please find below:

**Late night refreshment / NYE**

Regarding the query on NYE, we will not be open straight through to Saturday. That would be a gruelling expectation on our staff, who we really do care about. We have signed up to the Living Wage Foundation and pledge to pay all our staff as a minimum the wage set by the foundation.

**Use out outdoor area / noise / smoking**

We have clear policies in place within our venue to ensure our outside area is maintained in terms of cleanliness and there should never be any litter, also that no drinks are to be taken off the premises / to be consumed anywhere other than our designated tables. This will be strictly enforced by the team.

Our venue is strictly non-smoking, as keen users of the marina, we will enforce this. Co-incidentally we almost bought the apartment above Flawd a while ago, and we would not want to be breathing in passive smoke on the balcony so you raise a valid point.

We have written a smoking policy as part of our application and this will be strictly enforced, no smoking will be undertaken outside our venue, this includes vaping. Anyone wishing to smoke must do so over by the bin / designated area away from the entrance / outside seating.

**Litter**

We will ensure that this is strictly monitored, and indeed this is in our interests as well as yours – we want our premises to be situated in an attractive and well looked after area at all times. We have actually been engaging with various people from the Facebook groups to look at the general upkeep of the marina, and we support the other businesses in campaigning for more support from the council in ensuring bins don't overflow and the marina is upkept to the standard we all expect.

Regarding outdoor drinking, within our application we have suggested our outdoor tables are to be removed no later than 10pm.

However, our venue should be a positive contribution to the neighbourhood and not a nuisance, and as such we do understand your valid concern and would like to offer the following as a condition to be attached to our license:

‘The external area shall cease to be used for drinking at 21:00 daily.’

We will enforce this with signage and ensure the staff are fully briefed.

**Opening hours**

Apologies for any confusion regarding our opening hours. To clarify, our confirmed opening hours are as follows:

Monday and Tuesday - closed

Wednesday - 3pm - 11pm

Friday - 3pm - 12am

Saturday - 12pm-12am

Sunday - 12pm -10pm

What we seek in terms of hours/opening is for last orders for the sale of alcohol to be 11pm Wednesday & Thursday and 11.30pm Friday and Saturday and 9.30pm on Sundays.

There will then be a 30 minute period after that for customers to disperse, so all customers will be gone from the premises and the area by 11.30pm and midnight respectively. These slightly later hours would therefore be weekends only.

We'll monitor and control this dispersal very carefully towards the end of the night, with staff at the exit and outside the premises advising customers specifically that they should leave the area quietly.

We really hope this helps with your queries, and we'd be more than happy to meet for a coffee / in the venue to discuss any further?

We do feel all of our clientele will be fully respectful of the policies and procedures in place and the higher-end offering we are proposing will attract a certain demographic that, with our management, should not cause any nuisance.

It would be great if we could reach an agreement of understanding and we very much look forward to welcoming you into the venue for a sneak peek ahead of opening.

Best Wishes,

[Redacted signature]

Head of Marketing

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## Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> <li>1. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.</li> <li>2. 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.</li> <li>3. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.</li> <li>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.</li> <li>5. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment, to be carried out by the DPS. When employed, door staff will wear high visibility armbands.</li> <li>6. When employed, a register of those door staff employed shall be maintained at the premises and shall include: <ol style="list-style-type: none"> <li>a. the number of door staff on duty;</li> <li>b. the identity of each member of door staff;</li> <li>c. the times the door staff are on duty.</li> </ol> </li> <li>7. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.</li> <li>8. Staff will be trained in the requirements of the Licensing Act 2003 with regard to the Licensing Objectives, and the laws relating to under age sales and the sale of alcohol to intoxicated persons, and that training shall be documented and repeated at 6 monthly intervals.</li> <li>9. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.</li> <li>10. A first aid box will be available at the premises at all times.</li> <li>11. Regular safety checks shall be carried out by staff.</li> <li>12. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.</li> </ol>	N/A	Applicant

## Schedule of Licence Conditions

<p>13. The premises shall maintain an Incident Log and public liability insurance</p> <p>14. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.</p> <p>15. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.</p> <p>16. The exterior of the building shall be cleared of litter at regular intervals.</p> <p>17. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.</p> <p>18. Doors and windows at the premises are to remain closed after 11pm, save for access and egress.</p> <p>19. A Dispersal and Smoking Policy will be implemented and adhered to.</p> <p>20. The emptying of bins into skips and refuse collections will not take place between 11pm and 7am.</p> <p>21. A "Challenge 25" policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of ID are photographic driving licences, passports, HM forces warrant cards, EU/EEA national ID card or similar document or a form of identification with the "PASS" hologram</p> <p>22. Staff training will include the Challenge 25 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months</p> <p>23. Notices advising what forms of ID are acceptable must be displayed</p> <p>24. Notices must be displayed in prominent positions indicating that the Challenge 25 policy is in force</p>		

## Schedule of Licence Conditions

<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
None	N/a	N/a

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 14 August 2023

**Subject:** The Lock-keeper's Cottage, 41 Chorlton Street, Manchester, M1 3FY -  
ref: LTN291215

**Report of:** Director of Planning, Building Control and Licensing

**Summary**

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

**Recommendations**

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

**Ward 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

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**Financial Consequences – Revenue** None

**Financial Consequences – Capital** None

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**Contact Officers:**

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

Name: Patrick Ware  
 Position: Technical Licensing Officer  
 Telephone: 0161 234 4858  
 E-mail: [Premises.licensing@manchester.gov.uk](mailto:Premises.licensing@manchester.gov.uk)

**Background documents (available for public inspection):**

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

## 1. Introduction

- 1.1 On 31 July 2023, a temporary event notice (TEN) was given under s100A of the Licensing Act 2003 in respect of The Lock-keeper's Cottage, 41 Chorlton Street, Manchester, M1 3FY in the Piccadilly ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 In accordance with Licensing Act 2003 regulations, Greater Manchester Police (GMP) and Licensing Out of Hours Compliance (LOOH) were notified of the TEN.
- 1.3 Where either GMP or LOOH is satisfied that allowing the premises to be used in accordance with the TEN would undermine a licensing objective, they must give an objection notice to the relevant licensing authority, the premises user, and to every other relevant person.
- 1.4 The objection notice must be given no later than three working days after the day on which the objector is given the TEN.
- 1.5 An objection notice has been received in respect of this TEN and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

## 2. The Notice

- 2.1 A copy of the TEN is attached at **Appendix 2**.
- 2.2 The premises user is Mr Daniel Donald.
- 2.3 The description of the event is Outdoor bar to front of premises for Pride 2023.
  - 2.3.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this TEN.
  - 2.3.2 Any further details provided relating to any of the individual licensable activities are specified on the TEN at **Appendix 2**.
- 2.4 **Activities unsuitable for children**
  - 2.4.1 The premises user has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

## 3. Objection Notice(s)

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

## 3.2 Summary of the objections:

Party	Grounds of representation	Recommends
<b>GMP</b>	GMP objects on the grounds of the Prevention of Crime and Disorder and the Prevention of Public Nuisance. The premises user has not included any detail in relation to the way in which the queues will be managed or what control measures will be in place, such as SIA security provision. There is also no plan showing where the outside bar will be or any dimensions of the bar. Therefore, the TEN with such scant information is likely to see an undermining of the licensing objectives and an increase in calls to GMP during what will be one of the busiest events of the year	Serve a counter notice

**4. Key Policies and Considerations****4.1 Legal Considerations**

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

**4.2 New Information**

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

**4.3 Hearsay Evidence**

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

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

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

- 4.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must ‘have regard to’ guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.
- 4.4.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

#### 4.5 **Manchester Statement of Licensing Policy**

- 4.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must ‘have regard to’ its statement of licensing policy.
- 4.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.
- 4.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.
- 4.5.4 Where the authority considers that to impose on the TEN one or more of the conditions from a premises licence or club premises certificate in force at the premises (insofar as such conditions are not inconsistent with the event) is appropriate for the promotion of the licensing objectives, the policy is to give notice to the premises user that includes a statement of the conditions imposed. Copies of this notice will be provided for GMP and LOOH.
- 4.5.5 Where, following any representations at the hearing, the licensing authority is not satisfied the event will ensure the promotion of the licensing objectives, the policy is to issue a counter-notice against the Temporary Event Notice.

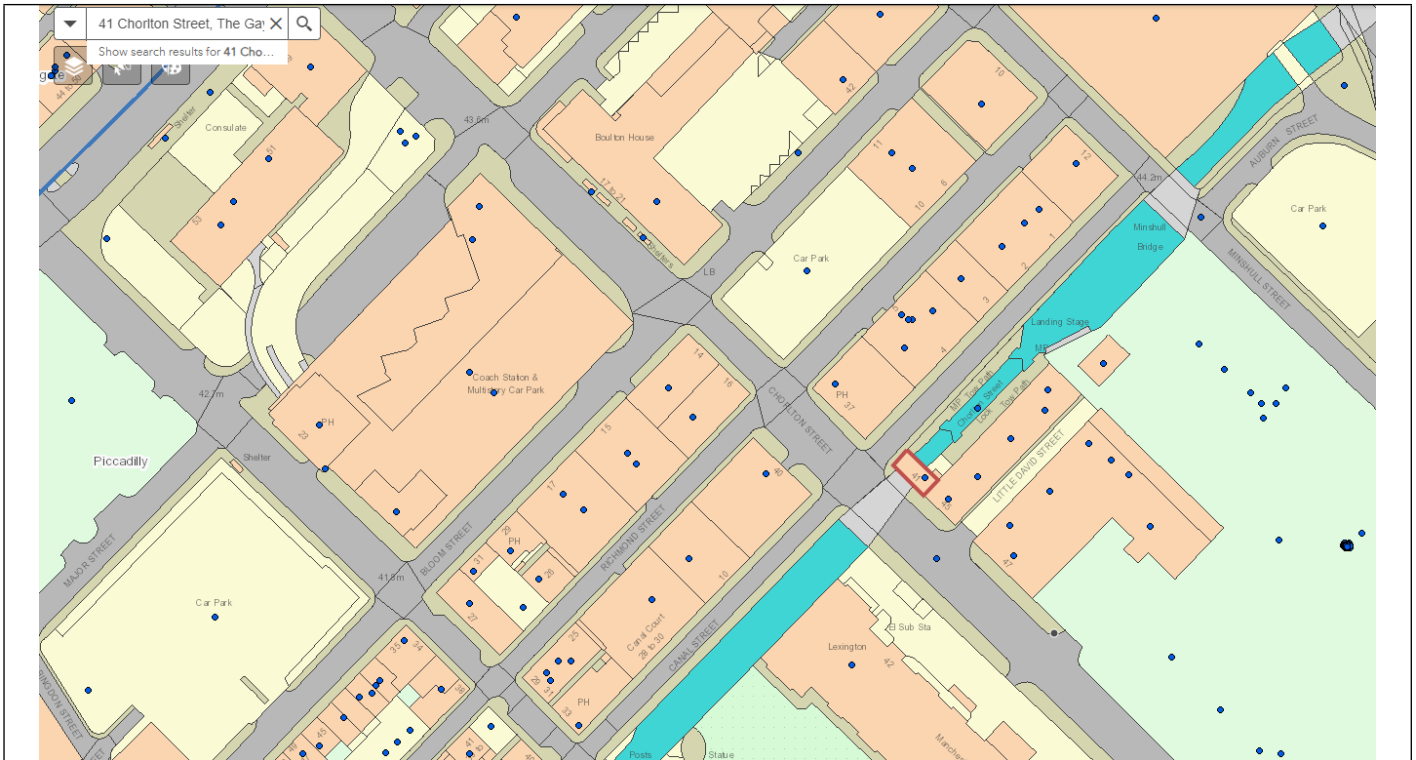
#### 5. **Conclusion**

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

- 5.2 In considering the matter, the Panel should take into account any objections that have been received from GMP or LOOH, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council's licensing policy statement.
- 5.3 Having regard to the objection notice(s), the panel must give the premises user a counter notice if it considers it appropriate for the promotion of a licensing objective to do so.
- 5.4 If the panel decides not to give a counter notice the panel may impose one or more conditions on the TEN if –
- the authority considers it appropriate for the promotion of the licensing objectives to do so,
  - the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and
  - the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.
- 5.5 All licensing determinations should be considered on the individual merits of the notification.
- 5.6 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 5.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 6. The Panel is asked to determine the temporary event notice.**

The Lock-keeper's Cottage  
 41 Chorlton Street, Manchester, M1 3FY  
 Premises Licensing  
 Manchester City Council

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**PREMISE NAME:** The Lock-keeper's Cottage

**PREMISE ADDRESS:** 41 Chorlton Street, Manchester, M1 3FY

**WARD:** Piccadilly

**HEARING DATE:** 14/08/2023

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# Temporary Event Notice

Payment Transaction number:- SSES00743693 | Form Reference number EF1/904476

## Premises User Information

Title

Mr

If other please state

*n/a*

Surname

Donald

Forenames

Daniel

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

*n/a*

Your date of birth

[REDACTED]

Your place of birth

[REDACTED]

National Insurance Number

[REDACTED]

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

[REDACTED]

Telephone

[REDACTED]

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email address

[Redacted]

Address

41 chorlton street  
Manchester  
M1 3fy

Telephone

n/a

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email

n/a

## Premises information

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

41 Chorlton Street  
Manchester  
M1 3FY

#### Premises licence number

n/a

#### Club premises certificate number

n/a

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

Public highway closed for manchester pride weekend.

Bar area selling plastic and canned drinks.

Small area to the front of the property. A dead space at the end of the market.

#### Please describe the nature of the premises

In front of the lock keepers cottage, 41 chrolton street, m1 3fy

#### Please describe the nature of the event

Manchester Pride weekend

## Licensable activities

#### The sale by retail of alcohol

Yes

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

No

#### The provision of regulated entertainment

Yes

#### The provision of late night refreshment

No

#### Are you giving a late temporary event notice?

No

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

25th Aug to 28th Aug 2023

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

Fri 18.00 - 23.00, Sat 10.00 - 23.00, Sun 10.00 - 23.00, Mon 10.00 -18.00

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

150

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

Both

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

No

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

*n/a*

## Personal Licence Details

Do you currently hold a valid Personal Licence?

Yes

Issuing Authority

Lancaster

Licence Number

Lapa1199

Date of Issue

02 march 2018

Date of Expiry

Na

Any further relevant details

n/a

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

Yes

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

1

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

No

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

No

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

n/a

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

No

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

No

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

n/a

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

No

## Declaration and Payment New

Name

Capacity in which you are making this application

Owner

## Additional information

I\_understand

no

These are the files included with this application :-

Acknowledgement

I acknowledge receipt of this temporary event notice

Signature:

On behalf of the Licensing Authority

Date:

Name of officer signing:

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

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## GREATER MANCHESTER POLICE



To: Manchester City Council  
Licensing Unit  
Manchester Town Hall Extension  
Lloyd Street  
Manchester

To:



3<sup>rd</sup> August 2023

Dear Sir,

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

<b>PREMISES NAME:</b>	<b>The Lock Keepers Cottage</b>
<b>ADDRESS:</b>	41 Chorlton Street Manchester M1 3FY
<b>DATE OF EVENT:</b>	25/08/23 – 28/08/23
<b>TIME OF EVENT:</b>	1800 – 2300, 1000-2300, 1000-2300 and 1000-1800 hours

GMP objects to the grant of this Temporary Event Notice on the grounds of the Prevention of Crime and Disorder and the Prevention of Public Nuisance.

The application seeks to allow sales of alcohol from a temporary bar situated outside the premises.

The applicant has not included any detail whatsoever within the application in relation to the way in which the queues will be managed or what control measures will be in place, such as SIA security provision. There is also no plan showing where the bar will be or any dimensions of the bar.

Therefore, the grant of this TEN with such scant information is likely to see an undermining of the licensing objectives and an increase in calls to GMP during what will be one of the busiest events of the year.

**GREATER MANCHESTER POLICE**

As such we ask that this TEN application is refused.

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

Date/Time 3<sup>rd</sup> August 2023 0810 hrs  
.....

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

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