



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 21 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.

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

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

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**Councillors** - Andrews, Flanagan and Reid

## 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 - Fay's Café, 815 Rochdale Road, Manchester, M9 5XD**

5 - 84

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

**5. Application for a New Premises Licence - Apna Thikana, Basement, M1 Building, 50 Princess Street, Manchester, M1 6HR**

85 - 158

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

**6. Application for a Premises Licence Variation - Exhibition, St Georges House, 56 Peter Street, Manchester, M2 3NQ**

159 - 236

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, 11 August 2023** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 21 August 2023

**Subject:** Fay's Cafe, 815 Rochdale Road, Manchester, M9 5XD - App ref:  
Premises Licence (new) 289624

**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:** Harpurhey

<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:**

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Name: Patrick Ware  
 Position: Technical Licensing Officer  
 Telephone: 0161 234 4858  
 E-mail: 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 26/06/2023, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Fay's Cafe, 815 Rochdale Road, Manchester, M9 5XD in the Harpurhey 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 Mr Filipos Afeworki.
- 2.3 The description of the premises given by the applicant is café restaurant.
- 2.4 The proposed designated premises supervisor is Mr Filipos Afeworki.

### 2.5 **The licensable activities applied for:**

The supply of alcohol for consumption on the premises only:  
 Mon to Sun 12 noon to 11pm  
 Amended to Sunday to Thursday 12 noon to 9:30PM hours, Friday and Saturday 12 noon to 10pm as per agreement with LOOH.

Opening hours:  
 Mon to Sun 12 noon to 11:30pm  
 Amended to Sunday to Thursday 12 noon to 10pm, Friday and Saturday 12 noon to 10:30pm as per agreement with LOOH.

- 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

**3. Relevant Representations**

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

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;

Other Persons:

- Harpurhey Ward Councillors;

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
<b>Licensing and Out of Hours Compliance</b>	The premises are in very close proximity to residential accommodation and a block of supported accommodation. There have been reports of noise nuisance and anti-social behaviour from the immediate vicinity of the premises. The opening hours to 23:30 may lead to noise disturbance. There are concerns that the premises may be used by patrons who only wish to drink rather than as a restaurant	Refuse



	along with concerns about overcrowding. There are also concerns regarding customer access to the basement.	
<b>Harpurhey Ward Councillors</b>	Concerns regarding incidents of crime and disorder and anti-social behaviour from gangs and the possible affect of alcohol sales on nearby schools.	None

- 3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.
- 3.4 Agreement on conditions have been reached with Licensing Out of Hours.

#### **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
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Proximity to sensitive uses

***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.

MS7 Maintain a safe capacity

MS8 Prevent noise nuisance from the premises

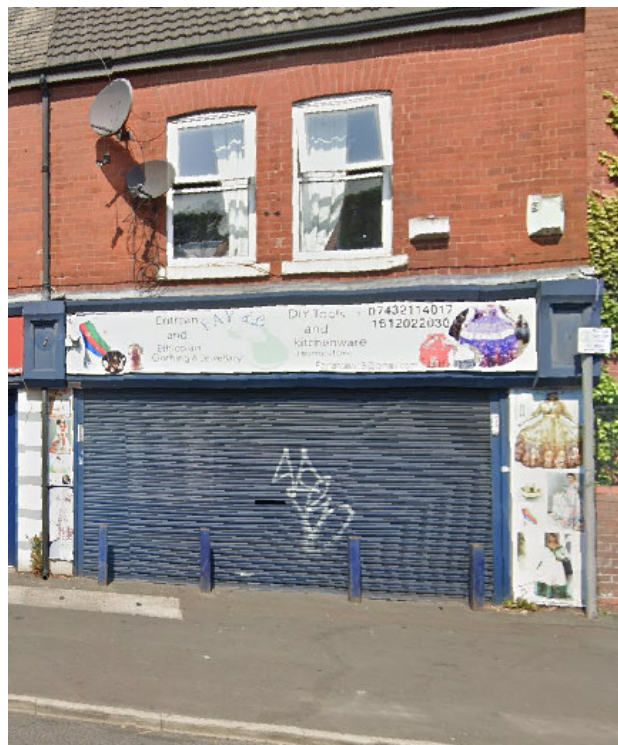
**Conclusion**

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

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

Fay's Cafe  
 815 Rochdale Road, Manchester, M9 5XD  
 Premises Licensing  
 Manchester City Council

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**PREMISE NAME:** Fay's Cafe

**PREMISE ADDRESS:** 815 Rochdale Road, Manchester, M9 5XD

**WARD:** Harpurhey

**HEARING DATE:** 21/08/2023

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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 Filipos Afeworki

*(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			
815 Rochdale Road			
Post town	Manchester	Postcode	M9 5XD

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 4,700

### Part 2 - Applicant details

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

a)	an individual or individuals *	<input checked="" type="checkbox"/>	please complete section (A)
b)	a person other than an individual *	<input type="checkbox"/>	
	i as a limited company/limited liability partnership	<input 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		please complete section (B)
d)	a charity		please complete section (B)
e)	the proprietor of an educational establishment		please complete section (B)
f)	a health service body		please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)	the chief officer of police of a police force in England and Wales		please complete section (B)

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

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

**(A) individual applicants** (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs	Miss	Ms	Other Title (for example, Rev)	
<b>Surname</b> Afeworki			<b>First names</b> Filipos		
<b>Date of birth</b> [REDACTED]		I am 18 years old or over		Please tick yes <input checked="" type="checkbox"/>	
<b>Nationality</b> [REDACTED]					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
<b>Daytime contact telephone number</b>		[REDACTED]			
<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 'share code' provided to the applicant by that service (please see note 15 for information)					

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**Second individual applicant** (if applicable)

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

**(B) Other applicants**

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

Name
Address

Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
2	4	072023

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)
Café and restaurant

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)	
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)	

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

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

## A

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

**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	
Day	Start	Finis h		Outdoors	
Mon				<b><u>Please give further details here</u></b> (please read guidance note 4)	Both
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)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
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	
				Outdoors	
				Both	
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 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	
Day	Start	Finis h		Outdoors	
				Both	
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 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	
Day	Start	Finish		Outdoors	
Mon				Both	
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	
Day	Start	Finis h		Outdoors	
Mon				Both	
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	
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					

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	
				Outdoors	
Day	Start	Finish		Both	
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					

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 checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	12:00	23:00			
Tue	12:00	23:00			
Wed	12:00	23:00			
Thur	12:00	23:00			
Fri	12:00	23:00			
Sat	12:00	23:00			
Sun	12:00	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)		

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	Filipos Afeworki
Date of birth	██████████
Address	██████████ ██████████ ██████████
Postcode	██████████
Personal licence number (if known)	Awaiting
Issuing licensing authority (if known)	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).**

NONE

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	12:00	23:30	
Tue	12:00	23:30	
Wed	12:00	23:30	
Thur	12:00	23:30	
Fri	12:00	23:30	
Sat	12:00	23:30	
Sun	12:00	23:30	
			<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)



**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)

A Challenge 25 policy will be strictly followed by all staff.

Staff will be trained as appropriate in respect of relevant licensing law. CCTV images will be kept for 31 days. Images will be of good quality.

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

All staff are to be trained under the Licensing Act 2003 prior to being allowed to sell/ supply alcohol. All training is to be documented and signed by the Premises License Holder and the trainee. All training records are to be made available to any of the responsible authorities on request. Refresher training to be carried out every six months.

The company will operate the Challenge 25 Policy. The only acceptable forms of identification will be a passport, photo driving license, military id card or PASS id card with the hologram logo,

A refusals log will be maintained at the premises. Each entry will be signed off by the DPS. The log will be made immediately available to members of the responsible authorities on request.

An incident log will be maintained at the premises. Each entry will be signed off by the DPS. The log will be made immediately available to members of the responsible authorities on request.

CCTV will be fitted in the premises. Images will be retained for a period of at least 31 days and will be made available to any of the responsible authorities to view or copies produced on request. If for any reason the CCTV hard drive needs to be replaced the previous / old hard drive will be kept on site for a minimum of 31 days and made immediately available to any of the responsible authorities on request. The CCTV will be checked to ensure that it is working each week. The time of the check, the identity of the person carrying this out and the result of it will be recorded in the incident log.

The licensee shall erect prominent, clear and legible signage the premises:- a) requesting patrons to be considerate of local residents when leaving the premises b) advising patrons of no loitering outside the premises

The premises will operate a dispersal policy this will be made immediately available to any of the responsible authorities on request.

**c) Public safety**

All drinks and glass vessels must be removed from patrons as they leave to ensure no glass leaves the premises.

A fire alarm system will be installed to meet BS 5839 Part 1 current standards.  
An emergency lighting system will be installed to meet BS 5266 current standards.  
Firefighting equipment will be available in the premises to meet BS 5306 current standards.

Floor staff will conduct physical sweep inside the premises to remove hazardous objects/waste as deemed necessary by the management.  
The Designated Premises Supervisor is aware of his responsibilities to the staff and customers in respect of public safety and will take all reasonable steps to ensure the maintenance of all provided safety arrangements and equipment in accordance with the requirements of current installations.

A fire risk assessment will be conducted.

**d) The prevention of public nuisance**

Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.

Between the hours of 20:00 and 23:00 no waste/glass bottles will be moved or deposited outside.

In conjunction with the steps proposed for the prevention of crime and disorder objectives, the Licensees and staff will at all times remain responsible for the prevention of public nuisance in and around the premises.  
The Designated Premises Supervisor or nominated staff will arrange to monitor levels of noise from both inside and outside the premises and remedial action will be taken as appropriate.

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

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 24 hour of a request by an officer of a Responsible Authority.

The premises shall display prominent signage indicating at any point of sale that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.

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.

**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</li> </ul>
--------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> <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 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)</li> </ul>
Signature	[REDACTED]
Date	20/06/2023
Capacity	Agent

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

### Notes for Guidance

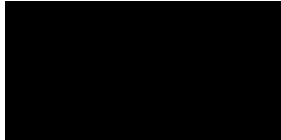
**Consent of individual to being specified as premises supervisor**

Filipos Afeworki

I

-----  
*[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

-----  
*[type of application]*

by

Filipos Afeworki

-----  
*[name of applicant]*

relating to a premises licence

-----  
*[number of existing licence, if any]*

for

Fay's Café  
815 Rochdale Road  
Manchester  
M9 5XD

-----  
*[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

Filipos Afeworki

-----  
*[name of applicant]*

concerning the supply of alcohol at

Fay's Café  
815 Rochdale Road  
Manchester  
M9 5XD

-----  
*[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

Awaiting

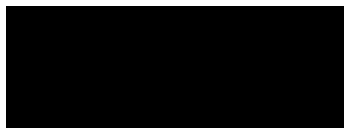
-----  
*[insert personal licence number, if any]*

Personal licence issuing authority

Manchester City Council

-----  
*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed



Name (please print)

FILIPOS AFEWORKI

Date

13/6/23

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

<b>Premise Details</b>	
Application Ref No	289624
Name of Premises	Fay's Cafe
Address	815 Rochdale road, Manchester, M9 5XD

<b>Representation</b>
<p>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> <p>Licensing and Out of Hours team have assessed the likely impact of the granting of this license, considering several factors, including the nature of the area in which the premises is located, the hours applied for and any potential risk that the granting of this licence could lead to issues of public nuisance.</p> <p>The proposed premises is in very close proximity to residential accommodation, both directly across the road, but it also physically adjoins a large block of supported accommodation managed by Greater Places housing association.</p> <p>There have also been reports from nearby residents in terms of noise nuisance and anti-social behaviour in the immediate vicinity of the premises, some of which are still open cases with ongoing investigation. It is the case that the location of the premises is in immediate vicinity of residents and any issues relating to public nuisance will likely have a detrimental impact on these residents, especially those in the supported accommodation.</p> <p>The premises would allow people to drink alcohol up to 23:00 with people then dispersing at 23:30. This is likely to lead to significant risk of public nuisance at dispersal due to the proximity of residential accommodation and how the impact of intoxicated people both inside and outside will be managed to avoid public nuisance issues.</p> <p>The application states that a responsible person from the premises will monitor noise levels from inside and outside the premises and take appropriate action as required. The application is for a restaurant and café, It is therefore difficult to imagine what other activities beyond providing normal restaurant and café services would require regular sound checks inside and outside.</p> <p>It won't be possible for sound checks to be conducted inside the adjoining wall at the supported accommodation where there is also risk of noise nuisance whilst people are trying to sleep.</p>

This acceptance that sound checks need to be conducted undermines confidence that the premises will only be used for the quiet enjoyment of food at a restaurant, and might actually become a destination for patrons who only want to drink alcohol, and increase the risk of the premises becoming a drinking premises, with the inherent risks that presents of increased public nuisance, including noise from patrons gathering to smoke outside, noise on dispersal, noise from raised voices inside the premises.

It is not clear if amplified music will be played at the premises.

The application does not state the maximum number of people that will be allowed into the premises, and there is a concern that public nuisance might also arise due to overcrowding of the venue with larger numbers of people making more noise.

Section 7.2 of Manchester City Council's statement of licensing policy requires that applicants obtain enough information to be able to demonstrate an understanding of local residential properties and the risks posed to the local area by the applicant's proposed licensable activities.

We believe that the application shows no real understanding of the nature of nearby residential accommodation or the impact licensable activities will have on residents.

On the plan for the premises it appears there are accessible stairs to the basement from the area open to the public. There has been no mention on the application whether this area will also be used by the premises to entertain patrons, and if not how it will be blocked off. If it is to be used, then this has not been explained.

It is for these reasons that the licensing and out of hours team objects to the granting of the licence as we believe the prevention of public nuisance objective is at risk of being undermined.

Recommendation:

Refuse Application

**From:** Michael Wilson <michael.wilson@manchester.gov.uk>  
**Sent:** 24 July 2023 13:12  
**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>  
**Subject:** Fays cafe application ref 289624

Hello

Please can the emails below be submitted as evidence from Licensing and out of hours in relation to our representation objecting to the licence application

regards  
Mike

Mike Wilson  
Neighbourhood officer  
Licensing & Out of Hours Compliance  
The Neighbourhoods Service  
Growth and Neighbourhoods Directorate  
Email: [michael.wilson@manchester.gov.uk](mailto:michael.wilson@manchester.gov.uk)  
Tel: 0161 234 1220  
Mob: 07966837929

Your personal data is very important to us. Please refer to our privacy notice at <http://www.manchester.gov.uk/privacy> for further information.

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**From:** [REDACTED] >  
**Sent:** 24 July 2023 12:34  
**To:** Michael Wilson <michael.wilson@manchester.gov.uk>  
**Cc:** [REDACTED] >  
**Subject:** RE: [REDACTED]

Good afternoon Mike,

I can confirm we would have some concerns if this was to be accepted.

We have a lot of vulnerable residents in the block who suffer with poor mental health, alcohol dependence and there are already a lot of concerns around ASB and noise/nuisance in the area.

There was a Police chase in the area stopping at the end of [REDACTED] only last Monday.

I don't think the residents would cope well with this.

Kind regards  
[REDACTED]

[REDACTED]

Mobile: [REDACTED]  
Email: [REDACTED]  
Twitter: [REDACTED]

[REDACTED]

[REDACTED]

**From:** Michael Wilson <michael.wilson@manchester.gov.uk>  
**Sent:** Monday, July 24, 2023 11:07 AM  
**To:** [REDACTED] >  
**Subject:** [REDACTED]

Hello [REDACTED]

You may know that an application for a licensed premises (cafe/restaurant) to serve alcohol has been submitted that will [REDACTED] on [REDACTED].

Do you have any concerns in relation to potential nuisance for your residents?

regards  
Mike Wilson

Mike Wilson  
Neighbourhood officer  
Licensing & Out of Hours Compliance  
The Neighbourhoods Service  
Growth and Neighbourhoods Directorate  
Email: [michael.wilson@manchester.gov.uk](mailto:michael.wilson@manchester.gov.uk)  
Tel: 0161 234 1220  
Mob: 07966837929

## LOOH Agreed/Withdrawn

In summary:

The proposed hours for the sale of alcohol are now:

Sunday to Thursday 12 noon to 9:30PM hours, Friday and Saturday 12 noon to 10pm.

Proposed Opening times:

Sunday to Thursday 12 noon to 10pm, Friday and Saturday 12 noon to 10:30pm.

Additional conditions agreed:

1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
2. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
3. The supply of alcohol shall only be to be a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
4. The sale of alcohol shall only be by waiter service to seated customers, and there shall be no sales of alcohol at the bar.
5. No off sales of alcohol will be permitted.

---

**From:** Michael Wilson <michael.wilson@manchester.gov.uk>

**Sent:** 10 August 2023 01:02

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

**Cc:** Mitchell Ward <mitchell.ward@manchester.gov.uk>

**Subject:** Fw: Fw: LOOH representation . Fay's cafe (ref: 289624)

Hello

I am writing to inform you that I am withdrawing my representation for Fay's cafe application for a premises licence as Licensing and out of hours have negotiated the additional conditions and hours in the series of emails below.

I will not be attending any hearing.

regards

Mike Wilson

Mike Wilson

Neighbourhood officer

Licensing & Out of Hours Compliance

The Neighbourhoods Service

Growth and Neighbourhoods Directorate

Email: [michael.wilson@manchester.gov.uk](mailto:michael.wilson@manchester.gov.uk)

Tel: 0161 234 1220

Mob: 07966837929

---

**From:** Michael Wilson <michael.wilson@manchester.gov.uk>  
**Sent:** 10 August 2023 00:59  
**To:** [REDACTED] >  
**Cc:** Mitchell Ward <mitchell.ward@manchester.gov.uk>  
**Subject:** Re: Fw: LOOH representation . Fay's cafe (ref: 289624)

Hello

Thank you for your email .  
I am happy with these proposals and will email Premise licensing to withdraw my representation

kind regards  
Mike Wilson

Mike Wilson  
Neighbourhood officer  
Licensing & Out of Hours Compliance  
The Neighbourhoods Service  
Growth and Neighbourhoods Directorate  
Email: [michael.wilson@manchester.gov.uk](mailto:michael.wilson@manchester.gov.uk)  
Tel: 0161 234 1220  
Mob: 07966837929

---

**From:** [REDACTED] >  
**Sent:** 09 August 2023 10:36  
**To:** Michael Wilson <michael.wilson@manchester.gov.uk>  
**Subject:** Re: Fw: LOOH representation . Fay's cafe (ref: 289624)

Dear Michael Wilson,

Thank you for getting back to me. The request is for an additional 30mins for the sale of alcohol and opening time. We would like the sale of alcohol from Sunday to Thursday 21:30 hours, and Friday and Saturday to 22:00. Opening times will be Sunday to Thursday 22:00 hours, and Friday and Saturday 22:30.

Kind regards  
[REDACTED]

On 08/08/2023 09:11 PM, Michael Wilson wrote:  
Hello  
Just to clarify,  
Are you asking for 30 minutes extra for alcohol and to remain open?

regards  
Mike

Mike Wilson

Neighbourhood officer  
Licensing & Out of Hours Compliance  
The Neighbourhoods Service  
Growth and Neighbourhoods Directorate

Email: michael.wilson@manchester.gov.uk

Tel: 0161 234 1220

Mob: 07966837929

From: [REDACTED] >  
Sent: 08 August 2023 14:22  
To: Michael Wilson <michael.wilson@manchester.gov.uk>  
Subject: Re: Fw: LOOH representation . Fay's cafe (ref: 289624)

Dear Michael Wilson

Thank you for your email. We are happy to accept the conditions but would like to request a further half an hour for the sale of alcohol, so will be Sunday to Thursday 21:30 hours, and Friday and Saturday 22:00 hours. Please let me know what your views will be on this. As for all the other conditions we are happy for them to be added to the licence.

>

Kind regards  
[REDACTED]

On 04/08/2023 02:52 PM, Michael Wilson wrote:

Hello

thank you for your email .I have considered the application and your comments around the likely times the premises will operate and how it will serve alcohol to customers and not have music being played.

Also, I would like the hours for the supply of alcohol to be in line with your assertion that the premises won't have customers much after 21:00 hours, as this will mitigate the risk of the prevention of public nuisance objective being undermined.

I would like to suggest, in addition to the conditions offered in your application, the following conditions:

\* No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance

\* Patrons permitted to temporarily leave and then re-enter the premises, eg. To smoke, shall not be permitted to take drinks or glass containers with them.

\* The supply of alcohol shall only be to be a person seated taking a table meal there and for consumption by such a person as ancillary to their meal

\* The sale of alcohol shall only be by waiter service to seated customers, and there shall be no sales of alcohol at the bar.

\* No off sales of alcohol will be permitted.

Supply of alcohol Sunday to Thursday 21:00 hours, and Friday and

Saturday 21:30 hours.

Hours open to the public Sunday to Thursday 21:30 hours, and Friday and Saturday 22:00 hours

I look forward to hearing from you, if you agree with the above proposals, please email me to confirm and I can forward this to our premise licensing team to advise that you have reached an agreement with Licensing and out of hours team.

regards  
Mike Wilson

Mike Wilson

Neighbourhood officer  
Licensing & Out of Hours Compliance  
The Neighbourhoods Service  
Growth and Neighbourhoods Directorate

Email: [michael.wilson@manchester.gov.uk](mailto:michael.wilson@manchester.gov.uk)  
Tel: 0161 234 1220



**Cllr 1**

**From:** Sandra Collins <cllr.sandra.collins@manchester.gov.uk>

**Sent:** 04 July 2023 15:19

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

**Cc:** Pat Karney <cllr.pat.karney@manchester.gov.uk>; Joanne Green <cllr.joanne.green@manchester.gov.uk>

**Subject:** Re: Premises Licence (new) 289624/PW5: Fay's Cafe, 815 Rochdale Road, Manchester, M9 5XD, (Harpurhey ward)

- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety
- The protection of children from harm

We wish to object to this licence, there have been many instances where police have been called due to the sale of alcohol in the past in this area. We do not wish this to resume.

We wish to object as the sale of alcohol during the hours applied for as this will cause no end of issues for the people living nearby and could jeopardise other businesses clientele from using the shops nearby.

We wish to object as public safety is our utmost concern and alcohol sales will lead to gangs and groups of individuals using this road and causing problems.

Children need to be protected from the sale of alcohol and seeing adults purchasing alcohol at all times of day is wrong, especially as the premises is very near 2 primary schools and one high school and on a main highway to many other schools along with the children that live nearby.

Thanks.

Councillor Sandra Collins  
Harpurhey

**From:** Pat Karney <cllr.pat.karney@manchester.gov.uk>

**Sent:** 05 July 2023 08:33

**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>;  
[REDACTED] <[REDACTED]>

**Cc:** Sandra Collins <cllr.sandra.collins@manchester.gov.uk>; Joanne Green <cllr.joanne.green@manchester.gov.uk>

**Subject:** Re: Premises Licence (new) 289624/PW5: Fay's Cafe, 815 Rochdale Road, Manchester, M9 5XD, (Harpurhey ward)

Thank you

We agree with Councillor Collins representation

All three local councillors oppose this licence and we intend to attend the licensing committee

Pat Karney

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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 Challenge 25 policy shall be strictly followed by all staff.</li> <li>2. Staff shall be trained as appropriate in respect of relevant licensing law.</li> <li>3. CCTV images shall be kept for 31 days. Images will be of good quality.</li> <li>4. All staff shall be trained under the Licensing Act 2003 prior to being allowed to sell/ supply alcohol. All training shall be documented and signed by the Premises License Holder and the trainee. All training records shall be made available to any of the responsible authorities on request. Refresher training to be carried out every six months.</li> <li>5. The company shall operate the Challenge 25 Policy. The only acceptable forms of identification will be a passport, photo driving license, military id card or PASS id card with the hologram logo,</li> <li>6. A refusals log shall be maintained at the premises. Each entry shall be signed off by the DPS. The log shall be made immediately available to members of the responsible authorities on request.</li> <li>7. An incident log shall be maintained at the premises. Each entry shall be signed off by the DPS. The log shall be made immediately available to members of the responsible authorities on request.</li> <li>8. CCTV shall be fitted in the premises. Images shall be retained for a period of at least 31 days and shall be made available to any of the responsible authorities to view or copies produced on request. If for any reason the CCTV hard drive needs to be replaced the previous / old hard drive will be kept on site for a minimum of 31 days and made immediately available to any of the responsible authorities on request. The CCTV shall be checked to ensure that it is working each week. The time of the check, the identity of the person carrying this out and the result of it shall be recorded in the incident log.</li> <li>9. The licensee shall erect prominent, clear and legible signage the premises:               <ol style="list-style-type: none"> <li>a. requesting patrons to be considerate of local residents when leaving the premises;</li> <li>b. advising patrons of no loitering outside the premises.</li> </ol> </li> <li>10. The premises shall operate a dispersal policy this shall be made immediately available to any of the responsible authorities on request.</li> <li>11. All drinks and glass vessels must be removed from patrons as they leave to ensure no glass leaves the premises.</li> <li>12. A fire alarm system shall be installed to meet BS 5839 Part 1</li> </ol>	N/A	Applicant

## Schedule of Licence Conditions

<p>current standards.</p> <p>13. An emergency lighting system shall be installed to meet BS 5266 current standards.</p> <p>14. Firefighting equipment shall be available in the premises to meet BS 5306 current standards.</p> <p>15. Floor staff shall conduct physical sweeps inside the premises to remove hazardous objects/waste as deemed necessary by the management.</p> <p>16. The Designated Premises Supervisor shall be aware of his responsibilities to the staff and customers in respect of public safety and will take all reasonable steps to ensure the maintenance of all provided safety arrangements and equipment in accordance with the requirements of current installations.</p> <p>17. A fire risk assessment shall be conducted.</p> <p>18. Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.</p> <p>19. Between the hours of 20:00 and 23:00 no waste/glass bottles shall be moved or deposited outside.</p> <p>20. In conjunction with the steps proposed for the prevention of crime and disorder objectives, the Licensees and staff shall at all times remain responsible for the prevention of public nuisance in and around the premises.</p> <p>21. The Designated Premises Supervisor or nominated staff shall arrange to monitor levels of noise from both inside and outside the premises and remedial action shall be taken as appropriate.</p> <p>22. 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 24 hours of a request by an officer of a Responsible Authority.</p> <p>23. The premises shall display prominent signage indicating at any point of sale that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.</p> <p>24. 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</p>		
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## Schedule of Licence Conditions

authority.		
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
<ol style="list-style-type: none"> <li>1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.</li> <li>2. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.</li> <li>3. The supply of alcohol shall only be to be a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.</li> <li>4. The sale of alcohol shall only be by waiter service to seated customers, and there shall be no sales of alcohol at the bar.</li> <li>5. No off sales of alcohol will be permitted.</li> </ol>	Yes	Licensing Out of Hours

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

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 21 August 2023

**Subject:** Apna Thikana, Basement, M1 Building, 50 Princess Street, Manchester, M1 6HR - App ref: Premises Licence (new) 289773

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

**Summary**

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

**Recommendations**

That the Panel determine the application.

**Wards Affected:** Piccadilly

<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:**

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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 30/06/2023, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Apna Thikana, Basement, M1 Building, 50 Princess Street, Manchester, M1 6HR in the Piccadilly ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

## 2. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is 4kon Ltd.
- 2.3 The description of the premises given by the applicant is 'existing restaurant (currently not trading) in the basement area of 50 Princess Street in the city centre. It is currently undergoing a major refurbishment. The restaurant is positioned in a semi commercial and residential area between China Town and Canal Street with a seating capacity for 120 people on the basement floor only, the entrance is from Princess Street.'
- 2.4 The proposed designated premises supervisor is Mazhar Baitulla Shaikh.
- 2.5 **The licensable activities applied for:**

Provision of regulated entertainment (live music and anything of a similar description to live music, recorded music or performances of dance):  
Sun to Thurs 11pm to 11.30pm, Fri to Sat 11pm to 1.30am

Provision of regulated entertainment (recorded music):  
Sun to Thurs 11pm to 11.30pm, Fri to Sat 11pm to 2am

The provision of regulated entertainment (live music, recorded music and anything of a similar description to live music, recorded music or performances of dance) will take place indoors.

Provision of late night refreshment:

Mon to Sun 11pm to 1.30am

The provision of late night refreshment will take place both indoors and outdoors.

The supply of alcohol for consumption on the premises only:

Mon to Sun 12pm (midday) to 1.30am

Opening hours:

Mon to Sun 12pm (midday) to 2am

Non-standard timings for all of the above:

An additional 2 hours on New Year's Eve and all Sunday's that fall before a Bank Holiday Monday.

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

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;

Other Persons:

- Resident (x1)

## 3.2 Summary of the representations:

Party	Grounds of representation	Recommends
<b>Licensing and Out of Hours Compliance</b>	Licensing & Out of Hours put forward a number of additional conditions to better ensure that all the Licensing Objectives would be upheld.	Grant with conditions
<b>Resident (x1)</b>	<p>The premises is directly underneath residential apartments – an acoustic report should be carried out to ensure that residents in the building would not be excessively affected by the opening of a restaurant in the building, particularly in the early hours of the morning</p> <p>Smell and noise from ventilation could impact residents causing a nuisance, as could cigarette smoke – no smoking policy has been put forward.</p> <p>As the premises is advertised as a bar and proposes to provide entertainment, late-night refreshment and the supply of alcohol late into the night, it is possible that drunk and/or disorderly customers will be attracted to the venue from nearby. This could lead to a heightened risk of violence for residents coming in or out of the building, and could also lead to public nuisance, for instance through customers congregating outside. There would also likely be an increase in littering and vandalism if this happened.</p> <p>There are also concerns from a building control perspective, i.e., the suitability of the building for use as a restaurant.</p> <p>Although a number of conditions have been put forward to uphold the licensing objectives, these are felt to be inadequate.</p>	Refuse in current form

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.

#### **4. Key Policies and Considerations**

##### **4.1 Legal Considerations**

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

##### **4.2 New Information**

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

##### **4.3 Hearsay Evidence**

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

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

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

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

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

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

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

4.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing

objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.

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

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

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

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

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

**Section 7: Local factors**

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

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

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

- MS1 Implement effective security measures at the premises
- 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
- 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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Apna Thikana  
 Basement, M1 Building, 50 Princess Street, Manchester,  
 M1 6HR  
 Premises Licensing  
 Manchester City Council

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<b>PREMISE NAME:</b>	Apna Thikana
<b>PREMISE ADDRESS:</b>	Basement, M1 Building, 50 Princess Street, Manchester, M1 6HR
<b>WARD:</b>	Piccadilly
<b>HEARING DATE:</b>	21/08/2023

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# Manchester City Council

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 4kon 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 Apna Thikana M1 Basement 50 Princess Street			
Post town	Manchester	Postcode	M1 6HR

Telephone number at premises (if any)	TBC
Non-domestic rateable value of premises	£ 24,750

### 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    | <input type="checkbox"/>            | please complete section (B) |
| f) a health service body                             | <input type="checkbox"/>            | please complete section (B) |

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital 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		Please tick yes	
<b>Nationality:</b>			<b>Place of Birth:</b>		
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**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>					
Current postal 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 4kon Ltd
Address 382 Kingsway, Manchester, United Kingdom, M19 1PL
Registered number (where applicable) 14465506
Description of applicant (for example, partnership, company, unincorporated association etc.)  Limited Company
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	M	YYY
2	8	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	M	YYYY

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

Existing restaurant (currently not trading) in the basement area of 50 Princess Street in the city centre. It is currently undergoing a major refurbishment. The restaurant is positioned in a semi commercial and residential area between China Town and Canal Street with a seating capacity for 120 people on the basement floor only, the entrance is from Princess Street.

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)                                                               | X                        |
| f) recorded music (if ticking yes, fill in box F)                                                           | X                        |
| 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) | X                        |

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

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

**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	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 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**

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

C

<p><b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)</p>			<p><b><u>Please give further details</u></b> (please read guidance note 4)</p>
Day	Start	Finish	
Mon			<p><b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)</p>
Tue			
Wed			<p><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)</p>
Thur			
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"/>			
				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						<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	X
				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)  Solo /Duo Sitar, Tabla, Sarangi and other Indian cultural musical instruments, either instrumental or with singers.		
Mon	23.00	23.30			
Tue	23.00	23.30			
Wed	23.00	23.30	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Thur	23.00	23.30			
Fri	23.00	00.00	<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)  An additional 2 hours on New Years Eve and all Sunday's that fall before a Bank Holiday Monday.		
Sat	00.00	01:30			
	23.00	00.00			
Sun	00.00	01.30			
	23.00	23.30			

**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	X
				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)  Possible DJ's for special functions		
Mon	23.00	23.30			
Tue	23.00	23.30			
Wed	23.00	23.30	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Thur	23.00	23.30			
Fri	23.00	00.00	<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)  An additional 2 hours on New Years Eve and all Sunday's that fall before a Bank Holiday Monday.		
Sat	00.00	02.00			
	23.00	00.00			
Sun	00.00	02.00			
	23.00	23.30			

## G

Performances of dance 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	<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 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	X
Mon	23.00			Outdoors	<input type="checkbox"/>
		23.30		Both	<input type="checkbox"/>
Tue	23.00		<b><u>Please give further details here</u></b> (please read guidance note 4)  Possible Karaoke or other cultural entertainment		
		23.30			
Wed	23.00				
		23.30	<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)		
Thur	23.00				
		23.30			
Fri	23.00		<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)		
		00.00			
Sat	00.00	01.30			
	23.00	00.00	An additional 2 hours on New Years Eve and all Sunday's that fall before a Bank Holiday Monday.		
Sun	00.00	01.30			
	23.00	23.30			



## 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	X
				Outdoors	X
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	00.00	01.30	<b><u>Please give further details here</u></b> (please read guidance note 4)  The kitchen will close for main meals between 00.00 and 00.30 and possibly earlier weekdays. The late hour for Late Night Refreshment is requested for the service of hot sweets, coffees and other beverages and for takeaway meals which will only be available until the kitchen closes.		
	23.00	00.00			
Tue	00.00	01.30			
	23.00	00.00			
Wed	00.00	01.30	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
	23.00	00.00			
Thur	00.00	01.30			
	23.00	00.00			
Fri	00.00	01.30	<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)  An additional 2 hours on New Years Eve and all Sunday's that fall before a Bank Holiday Monday.		
	23.00	0.00			
Sat	00.00	01.30			
	23.00	00.00			
Sun	00.00	01.30			
	23.00	00.00			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b><u>Will the supply of alcohol be for consumption – please tick</u></b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 5)					
Mon	00.00	01.30						
	12.00	0.00						
Tue	00.00	01.30						
	12.00	0.00						
Wed	00.00	01.30						
	12.00	0.00						
Thur	00.00	01.30				<b><u>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</u></b> (please read guidance note 6)  An additional 2 hours on New Years Eve and all Sunday's that fall before a Bank Holiday Monday.		
	12.00	0.00						
Fri	00.00	01.30						
	12.00	0.00						
Sat	00.00	01.30						
	12.00	0.00						
Sun	00.00	01.30						
	12.00	0.00						

**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 Mazhar Baitulla Shaikh	
Date of birth: [REDACTED]	Place of birth: [REDACTED] Nationality: [REDACTED]
Address [REDACTED] [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) 288670	
Issuing licensing authority (if known) 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).

None

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b><u>State any seasonal variations</u></b> (please read guidance note 5)
Day	Start	Finish	
Mon	00.00	02.00	<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>An additional 2 hours on New Years Eve and all Sunday's that fall before a Bank Holiday Monday.</p>
	12.00	00.00	
Tue	00.00	02.00	
	12.00	00.00	
Wed	00.00	02.00	
	12.00	00.00	
Thur	00.00	02.00	
	12.00	00.00	
Fri	00.00	02.00	
	12.00	00.00	
Sat	00.00	02.00	
	12.00	00.00	
Sun	00.00	02.00	
	12.00	00.00	

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

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

*The premises has been assessed against the 4 Licensing Objectives as medium risk*

1: A tamper-proof digital colour CCTV system will be installed and maintained on the premises.

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

2: The CCTV system will provide a clear head and shoulders view to an evidential quality on the customers entry.

3: Recordings of the CCTV footage will be retained for a minimum of 31 days and provided within a reasonable time to an authorised responsible Authority Officer upon request.

4. In the case of a breakdown or malfunction the premises licence holder / designated premises supervisor will ensure that the CCTV is in working order as soon as practicable.

5. The Designated Premises Supervisor will ensure that the CCTV system is checked at least once a month. This check shall include the operation of the cameras, the recording facilities, the facilities for providing footage and the accuracy of the time and date. A written record of these checks shall be kept on the premises at all times and made available to a police constable or a representative of any responsible authority on request.

6. Customers will only be allowed to purchase and drink alcohol whilst they are waiting for a table, or takeaway or ancillary with a substantial table food order.

7. When the Designated Premises Supervisor is not on duty, a contact telephone number will be available at all times on the premises, unless the DPS is on holiday. In these circumstances a temporary Manager will be appointed to be available.

8. Relevant staff will be given the appropriate training on the legislation relating to alcohol and diners under the age of 18.

9. Signage will be displayed in prominent positions as a reminder to staff regarding serving alcohol to under 18's.

10. All alcohol will be stored and sold from the bar

11. Registered SIA door supervisor(s) will be employed at the premises following a risk assessment for all pre-booked events with more than 20 people.

**c) Public safety**

12. The premises toilets are situated on the same floor.

**d) The prevention of public nuisance****Noise**

13. Prominent, clear and legible notices shall be displayed at all exits and in key areas, requesting the public to respect the needs of the local residents and to leave the premises and the area quickly and quietly.

14. No exterior lighting or air conditioning units will be positioned so it will cause annoyance to any resident.

15. Deliveries of goods will only be permitted between the hours of 08.00 and 18.00

16. All refuse will be stored in suitable industrial containers and will be removed by a reputable waste company between the hours of 08.00 and 19.00.

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

17. Training regarding Challenge 25 and 16 or 17 year old's consuming alcohol on the premises shall be introduced for all staff who are in a position to take food and drink orders, sell or serve customers. This programme shall be made available for inspection at the request of a Responsible Officer. A written record shall be kept of the content of the training for a minimum of 12 months.

**Compliance Logs**

18. The premises shall operate a Refusals Log to record all refusals of the sale of alcohol and all persons who do not produce valid ID. And an Incident Log to record all incidents of crime and disorder occurring at the premises.

19. A Challenge 25 Scheme shall be in operation at the premises and signage shall be prominently displayed at key areas around the restaurant. The only forms of ID that will be accepted will be valid photographic Driving Licenses, valid Passports, or other reliable photo ID that would be accepted by the Home Office.

20. Proxy signage will be displayed at the entrance and at the bar advising customer not to try to purchase alcoholic drinks for under 16 year olds.

21. The DPS or PLH shall conduct six monthly reviews with all members of staff authorised to sell, serve or deliver alcohol in order to reinforce the training and to promote best practice. A written record shall be kept of the content of such reviews.

22 No unaccompanied persons under the age of 16 will be admitted to the premises after 21.00 on any day.

**Checklist:****Please tick to indicate agreement**

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

*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</li> </ul>
--------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>cease to be entitled to live and work in the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> <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 her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
Signature	██████████
Date	29th June 2023
Capacity	Agent on behalf of the applicant

**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	

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

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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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## Representation for Premise Licence (new) 289773/CT4

[REDACTED]

Wed 26/07/2023 08:02

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

📎 1 attachments (350 KB)

50 Princess Street licence issues V2.pdf;

Hi [REDACTED]

I hope you are well.

I have finished writing my representation and have attached it to this email in PDF format. Is this OK or should I send it in another format?

Please do let me know if I have done this correctly.

Thanks again for your help.

Kind regards,

[REDACTED]

Dear Licencing,

## Introduction and reasons for making a representation

[REDACTED]  
[REDACTED]  
[REDACTED] I appreciate the importance of new licenced premises in Manchester City Centre and truly wish to support new and innovative businesses in the area. I am also keen for the basement property to be in use. My motivation for writing is purely out of a desire to point out material issues that could arise from this licence application as written, where I feel there is contradiction with the four licensing objectives.

In the following document I will outline my concerns with the proposed Premise Licence (new) 289773/CT4, in relation to the promotion of the four licensing objectives of Manchester City Council.

I first have general questions relating to the proposed regulated activities and activity times of the premise. I would ask if the prospective licensees have considered the impact that some of these conditions and operating hours would have on local residents. I cannot think of another seated restaurant in the city centre with such late opening times (up to 2 am or 4am on bank holidays and New Year), let alone one connected to residential properties. For context, there is very little separation between the venue and windows of the flats above (Figure 1). In my opinion, this necessitates a great deal of care and planning to avoid impacting local residents. On that note, I seek confirmation that the intended operation is solely as a restaurant, only serving drinks to customers with "substantial table food orders". I ask because the new signage above the entrance to the venue states food and bar. Advertising a bar does suggest one could go there just to use the bar if desired (figure 2).



Figure 1. Transact house from Princess Street. Venue windows, exits and entrance highlighted in red, rest is residential.



Figure 2 Venue entrance signage (Princess Street). Of note, residential windows less than 1metre above entrance.

## The prevention of crime and disorder

I have concerns that the activities and proposed hours of operation proposed could be detrimental to the prevention of crime and disorder. From the Home Office guidance on the licensing of late night refreshment, “The provision of late night refreshment is regulated primarily because it is often linked to alcohol-fuelled crime and disorder in the night-time economy”. Further to the point of criminality, it is worth considering the cumulative impact of concentrations of licensed premises as well as the local crime and disorder statistics. Parts of the area which this premise sits adjacent to have a high concentration of late-night drink venues and nightclubs, and have been identified by GMP statistics as a crime hotspot (ref: <https://tinyurl.com/2kpnf769>).

### Specific points:

- As it is advertised as a bar, and proposed to provide entertainment, ‘late-night refreshment’ and supply of alcohol late into the night, it is possible that drunk and/or disorderly customers will be attracted to the venue from nearby. Given that the entrances to both residential builds (48 and 50 Princess Street) are in very close proximity to the venue entrance, there is a heightened risk of violence and/or intimidation to residents entering or leaving their respective buildings. This is concerning even if the venue refuses service/entry to groups, as they could remain in the immediate area. As an example, a street brawl was reported involving men who were turned away from a restaurant providing late night refreshment (ref: <https://tinyurl.com/58k3cts2>).
- This will be compounded if the premise acts as a take-away at night, as this would result in people congregating outside the venue entrance, close to the residential entrances. As stated in the Home Office guidance, this kind of licenced activity is linked to crime and disorder in the night-time economy, especially when considering the cumulative impact of concentrations of licensed premises.
- There is likely to be an increase in other offences in the proximity of the building, for example littering and vandalism due to the aforementioned alcohol-fuelled crime and disorder in the night-time economy.
- If the licensees were to operate as outlined in the proposal, I feel that the precautions of “signage displayed at the entrance”, “digital colour CCTV” and registered SIA door supervisors only when “following a risk assessment for all pre-booked events with more than 20 people”, are inadequate to prevent the issues raised above. This is because there is little evidence that signage or presence of CCTV will deter all criminality, and as discussed, many people could be attracted to the venue at night without bookings, meaning there would be

no door staff in many cases. In most cases where venues serve alcohol at these operating hours, there are conditions on the licence to have SIA trained door staff at all times after a certain hour.

## Public safety

Some safety concerns are applicable to the arguments above however there are some specific concerns I have regarding safety.

### Specific points:

- This is an old building with lots of wood construction. All flats in the building by condition of the lease and general planning guidelines utilise only electric power for heating and cooking to minimise risk from fire. Will the premise be utilising other forms of fuel such as gas or wood? If so, have proper risk assessments been carried out, what additional safety precautions are in place and what training will be provided to staff regarding fire prevention?
- Have any new cooking appliance installations been inspected, and have the fire suppression systems been reviewed and approved?
- Manchester city is a Smoke Control Area since 1985. Some ventilation/exhaust chimneys for the premise rise to the roof of the building and some have been added to the central lightwell roof close to the ground floor. Many flats have windows opening out into the lightwell. Has an assessment into the release of fumes and pollutants been carried out to understand how well pollutants are removed from the building and what the impact would be for the health and safety of residents close to the exhaust points?

## The prevention of public nuisance

There are public nuisance concerns that arise from the operation of a 120 seat venue below residential flats as well as the proposed licenced activities and hours of operation. Firstly, I will emphasise again the proximity of the venue to residential flats at the exterior faces of the building as well as around the central lightwell, which opens above the venue in question. Secondly, the flats and venue sit in an old building with questionable sound insulation properties for the basement venue. If an acoustic report has not been conducted, then one should be conducted for residents to be informed of the full impact of licenced activities.

Importantly, the proposed hours of operation extend to very late in the night and would compound enormously the impact of the nuisance caused by the operation of the venue. As well as causing nuisance during the day and in the evenings, it would disrupt sleep and normal living in the building.

### Specific points:

- The noise from a 120 restaurant and kitchen is likely to be considerable and could impact residents, particularly at night, causing nuisance for people trying to go about their lives.
- Groups arriving and leaving the venue would also cause noise disturbances and additional public nuisance, particularly at night.
- What measures will be in place to prevent vehicles picking up/dropping off outside the building late at night from causing a nuisance?
- The provision of late night refreshment and any operation of the venue as a takeaway would be additive to the issue of noise outside the building at night.
- The provision of regulated entertainment including recorded music and live music performances is a particularly impactful new use of the space and would cause even more

nuisance for residents due to noise and vibration from base reaching other parts of the building.

- Smell and noise from ventilation could impact residents causing a nuisance. The licence states that “No exterior lighting or air conditioning units will be positioned so it will cause annoyance to any resident.”. What evidence is there that all new ventilation has been placed so as not impact residents? Typically, extensive planning applications are made for installation of new ventilation including acoustic and emission reports prior full to installation. To my knowledge, this has not been done. So what tests have been run to verify noise and smell does not affect residents above the set thresholds?
- If guests or staff chose to smoke, where will they do this and how will it be ensured that rising smoke will not impact residents above?

## The protection of children from harm

There are families with young children living in the immediate vicinity of this venue. Many of the points raised above are relevant to, and likely have a heightened impact on children. From the NHS website, infants need 12-16 hours sleep. Any disturbances from the venue during the evening or night (as covered extensively above), would make this impossible and therefore have a serious detrimental effect on child health. Likewise, fumes from the restaurant, cigarette smoke, and additional traffic from street level would have an even greater harmful impact on children.

## Conclusion

While I support the basement property of 50 Princess Street being used commercially, I feel that there must be great care and planning to ensure this works harmoniously with the residential nature of the building. Based on the points raised above I would question whether the proposals outlined in this licence application would be conducive to the support of the four licencing aims. In the current state, I genuinely struggle to see how these proposals could be implemented without having a significant detrimental impact on the public. Taking all of the above into account, if I am permitted to make suggestions, the changes that I feel would go farthest to promote the licencing objectives are as follows:

- The safety and efficiency of all cooking, fire suppression and extraction installations needs to be reviewed and this to be made available, as well as details on fire prevention training. Ensure fumes and cooking smells are properly removed away from the residential part of the building.
- Enforce a policy of no smoking for staff close the building.
- Make the hours of operation align with most other restaurants in the area, that being closing no later than 10 pm. This would practically eliminate the crime and disorder and most public nuisance concerns.
- Restrict all licenced activities to the same reduced hours, on the condition that an acoustics report shows noise from activities e.g. recorded music are no audible from other parts of the building.



**MANCHESTER  
CITY COUNCIL**

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

Name	Niall Johnson
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	Niall.johnson@manchester.gov.uk
Telephone Number	0161 234 1220
<b>Premise Details</b>	
Application Ref No	289773
Name of Premises	APNA THIKANA
Address	Basement, M1 Building, 50 Princess street, MCR

**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.

This is notification that the Licensing and Out-of-Hours team (LOOH) have assessed the application and the likely impact the granting of the licence would have on the local amenity. We have taken into account the nature of the area, surrounding licensed premises and local residential premises.

Having given consideration to Manchester City Council's Statement of Licensing Policy and how the applicant will promote all 4 of the Licensing Objectives we are confident that the application should be approved with additional conditions.

Following a meeting with the operators, and discussions with the interested parties, the below conditions have been agreed:

- At all times that the premises are open to the public for licensable activities, all staff on-duty at the premises, including all door supervisors, and all on-duty managers must have completed Action Counters Terrorism (ACT) Awareness e-learning training. In addition, a minimum of 1 on-duty manager and any on-duty security supervisor/manager must also have attended a Counter Terrorism (CT) Awareness session delivered by Counter Terrorism Policing North West (CTPNW) trained personnel as soon as reasonably practicable. If not completed, they must have registered to attend a course and be able to provide evidence of this if requested by a police officer or authorised officer of the licensing authority.



- There must be a documented security assessment, which must incorporate counter terrorism measures for the premises. The assessment shall be routinely reviewed and must be reviewed following the elevation of the change of the national threat level. All reviews shall be documented.
- The premises shall have a documented smoking and dispersal policy and the designated smoking areas must be covered by CCTV.
- Door supervision must be provided Friday, Saturday and Sundays preceding a Bank Holiday when operating past 00:00. One door supervisor must be on duty from 10pm and must remain on duty until the premises are closed and all the customers have left.
- At times outside of the above condition, 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.)
  - Premises Licence Conditions
- All staff on duty at the premises shall be trained in the Emergency and Evacuation procedures for the premises and aware of their individual responsibilities. This includes any door supervisors. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 12 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.
- Food collection drivers/riders must not collect food or congregate in a way that would cause a nuisance to local residence.
- No noise or odour shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
- All staff authorised to sell alcohol shall be trained, and refreshed every 12 months, in:
  - Prevent underage sales
  - Prevent proxy sales
  - Maintain the refusals log
  - Recognising signs of drunkenness and vulnerability
  - How to refuse service

- 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.

I would also propose to remove the following conditions, given by the applicant, as these are not appropriate, are covered by separate legislation or contradict newly proposed conditions:

- Relevant staff will be given the appropriate training on the legislation relating to alcohol and diners under the age of 18.
- Signage will be displayed in prominent positions as a reminder to staff regarding serving alcohol to under 18's.
- Registered SIA door supervisor(s) will be employed at the premises following a risk assessment for all pre-booked events with more than 20 people.
- The premises toilets are situated on the same floor.
- Training regarding Challenge 25 and 16 or 17 year olds consuming alcohol on the premises shall be introduced for all staff who are in a position to take food and drink orders, sell or serve customers. This programme shall be made available for inspection at the request of a Responsible Officer. A written record shall be kept of the content of the training for a minimum of 12 months.
- Proxy signage will be displayed at the entrance and at the bar advising customer not to try to purchase alcoholic drinks for under 16 year olds.
- No exterior lighting or air conditioning units will be positioned so it will cause annoyance to any resident.
- All refuse will be stored in suitable industrial containers and will be removed by a reputable waste company between the hours of 08.00 and 19.00.
- Training regarding Challenge 25 and 16 or 17 year olds consuming alcohol on the premises shall be introduced for all staff who are in a position to take food and drink orders, sell or serve customers. This programme shall be made available for inspection at the request of a Responsible Officer. A written record shall be kept of the content of the training for a minimum of 12 months.

**Recommendation: Approve with Conditions (Outlined Above)**

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

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## Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> <li>1. A tamper-proof digital colour CCTV system will be installed and maintained on the premises.</li> <li>2. The CCTV system will provide a clear head and shoulders view to an evidential quality on the customers entry.</li> <li>3. Recordings of the CCTV footage will be retained for a minimum of 31 days and provided within a reasonable time to an authorised responsible Authority Officer upon request.</li> <li>4. In the case of a breakdown or malfunction the premises licence holder / designated premises supervisor will ensure that the CCTV is in working order as soon as practicable.</li> <li>5. The Designated Premises Supervisor will ensure that the CCTV system is checked at least once a month. This check shall include the operation of the cameras, the recording facilities, the facilities for providing footage and the accuracy of the time and date. A written record of these checks shall be kept on the premises at all times and made available to a police constable or a representative of any responsible authority on request.</li> <li>6. Customers will only be allowed to purchase and drink alcohol whilst they are waiting for a table, or takeaway or ancillary with a substantial table food order.</li> <li>7. When the Designated Premises Supervisor is not on duty, a contact telephone number will be available at all times on the premises, unless the DPS is on holiday. In these circumstances a temporary Manager will be appointed to be available.</li> <li>8. All alcohol will be stored and sold from the bar.</li> <li>9. Prominent, clear and legible notices shall be displayed at all exits and in key areas, requesting the public to respect the needs of the local residents and to leave the premises and the area quickly and quietly.</li> <li>10. Deliveries of goods will only be permitted between the hours of 08.00 and 18.00.</li> <li>11. The premises shall operate a Refusals Log to record all refusals of the sale of alcohol and all persons who do not produce valid ID. And an Incident Log to record all incidents of crime and disorder occurring at the premises.</li> <li>12. A Challenge 25 Scheme shall be in operation at the premises and signage shall be prominently displayed at key areas around the restaurant. The only forms of ID that will be accepted will be valid photographic Driving Licenses, valid Passports, or other reliable photo ID that would be accepted by the Home Office.</li> <li>13. The DPS or PLH shall conduct six monthly reviews with all members of staff authorised to sell, serve or deliver alcohol in order to reinforce the training and to promote best practice. A written record shall be kept of the content of such reviews.</li> <li>14. No unaccompanied persons under the age of 16 will be admitted to the</li> </ol>	N/A	Applicant

## Schedule of Licence Conditions

premises after 21.00 on any day.		
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
<ol style="list-style-type: none"> <li>1. At all times that the premises are open to the public for licensable activities, all staff on-duty at the premises, including all door supervisors, and all on-duty managers must have completed Action Counters Terrorism (ACT) Awareness e-learning training. In addition, a minimum of 1 on-duty manager and any on-duty security supervisor/manager must also have attended a Counter Terrorism (CT) Awareness session delivered by Counter Terrorism Policing North West (CTPNW) trained personnel as soon as reasonably practicable. If not completed, they must have registered to attend a course and be able to provide evidence of this if requested by a police officer or authorised officer of the licensing authority.</li> <li>2. There must be a documented security assessment, which must incorporate counter terrorism measures for the premises. The assessment shall be routinely reviewed and must be reviewed following the elevation of the change of the national threat level. All reviews shall be documented.</li> <li>3. The premises shall have a documented smoking and dispersal policy and the designated smoking are must be covered by CCTV.</li> <li>4. Door supervision must be provided Friday, Saturday and Sundays preceding a Bank Holiday when operating past 00:00. One door supervisor must be on duty from 10pm and must remain on duty until the premises are closed and all the customers have left.</li> <li>5. At times outside of the above condition, door supervisors shall be employed by the premises based upon a risk assessment carried out in relation to the following factors: <ol style="list-style-type: none"> <li>a. Size of the venue</li> <li>b. Expected attendance</li> <li>c. Type of event taking place</li> <li>d. Location of the premises</li> <li>e. Time of year</li> <li>f. Special occasion (New Year, Halloween, Local events etc.)</li> <li>g. Premises Licence Conditions</li> </ol> </li> <li>6. All staff on duty at the premises shall be trained in the Emergency and Evacuation procedures for the premises and</li> </ol>	Yes	Licensing and Out of Hours

## Schedule of Licence Conditions

<p>aware of their individual responsibilities. This includes any door supervisors. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 12 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>7. Food collection drivers/riders must not collect food or congregate in a way that would cause a nuisance to local residence.</p> <p>8. No noise or odour shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.</p> <p>9. All staff authorised to sell alcohol shall be trained, and refreshed every 12 months, in:</p> <ol style="list-style-type: none"> <li>a. Prevent underage sales</li> <li>b. Prevent proxy sales</li> <li>c. Maintain the refusals log</li> <li>d. Recognising signs of drunkenness and vulnerability</li> <li>e. How to refuse service</li> <li>f. 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</li> <li>g. The conditions in force under this licence.</li> </ol>		
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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 21 August 2023

**Subject:** Exhibition, St Georges House, 56 Peter Street, Manchester, M2 3NQ - App ref: Premises Licence variation 289883

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

**Summary**

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

**Recommendations**

That the Committee determine the application.

**Wards Affected:** Deansgate

<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 Policy and implementation will enable growth in our City by supporting businesses who promote the Licensing Objectives.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications. Representations have to be directly related to the licensing objectives.
A liveable and low carbon city: a destination of choice to live, visit and work.	An effective licensing system supports and enables growth and employment in our City with neighbourhoods that provide amenities suitable to the surrounding communities.

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

Equal Opportunities Policy  
Risk Management  
Legal Considerations

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Contact Officers:**

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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.
- Any further documentary submissions by any party to the hearing

## **1. Introduction**

- 1.1 On 04/07/2023, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of Exhibition, St Georges House, 56 Peter Street, Manchester, M2 3NQ 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 Hannah Beswick Limited and a copy of the current licence is attached at **Appendix 2**.

## **3. The Application**

- 3.1 A copy of the application is attached at **Appendix 3**.
- 3.2 The variation is to
- Amend the hours for the sale of alcohol, live and recorded music and late-night refreshment on Wednesdays, Thursdays, Fridays, Saturdays and Sundays until 03:00 plus 30 minutes opening, and
  - Make changes to conditions as suggest by Licensing Out of Hours in 2022 (which was agreed we could deal with next time the licence was varied) as follows:
  - Remove Conditions 1, 9 and 23 of Annex 2 and replace with:
    - All staff shall be trained in:
      - Relevant age restrictions in respect of products (Challenge 21),
      - Recognising signs of drunkenness and vulnerability,
      - How to refuse service,
      - The premises duty of care policy,

- 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
    - Remove conditions 12, 13 and 15 of Annex 2:
    - To include the BST seasonal timings: *'An additional hour on the day British Summer Time begins to disapply its effect.'*
- 3.2.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 3.2.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 3**.
- 3.3 **Activities unsuitable for children**
- 3.3.1 The applicant has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
- 3.4 **Steps to promote the licensing objectives**
- 3.4.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.
- 3.4.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 6**.
4. **Relevant Representations**
- 4.1 A total of 1 relevant representations were received in respect of the application (**Appendix 5**). The personal details of all members of the public have been redacted. Original copies of these representation will be available to the Committee at the hearing.
- Responsible Authorities:
- Greater Manchester Police;
- 4.2 Summary of the representations:

Party	Grounds of representation	Recommends
<b>GMP</b>	<p>Due to the location of the premises (within the busiest night-time location within the city centre area) GMP are concerned that there exists an increased likelihood that the Four Licensing Objectives would be undermined by the later operating hours as applied for.</p> <p>To offset their concerns regarding the application, GMP are requesting the imposition of more 'robust' conditions on to the premises licence relating to the employment and use of door staff at the premises.</p>	Grant with additional conditions

4.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 6**.

## **5. Key Policies and Considerations**

### **5.1 Legal Considerations**

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

### **5.2 New Information**

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

### **5.3 Hearsay Evidence**

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

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

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

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

## 5.5 **Manchester Statement of Licensing Policy**

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

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

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

- Premises that will extend the diversity of entertainment and attract a wider range of participants
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
- National cultural institutions, global sports events and cultural festivals
- Non-drink-led premises, including restaurants, cafes, theatres and cinemas
- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application
- Participation in Pubwatches, off licence forums and other crime-reduction partnerships

- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

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

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

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

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

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

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

MS1	Implement effective security measures at the premises
MS2	Effective general management of the premises
MS3	Responsible promotion and sale of alcohol
MS5	Prevent on-street consumption of alcohol
MS6	Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
MS8	Prevent noise nuisance from the premises

## **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

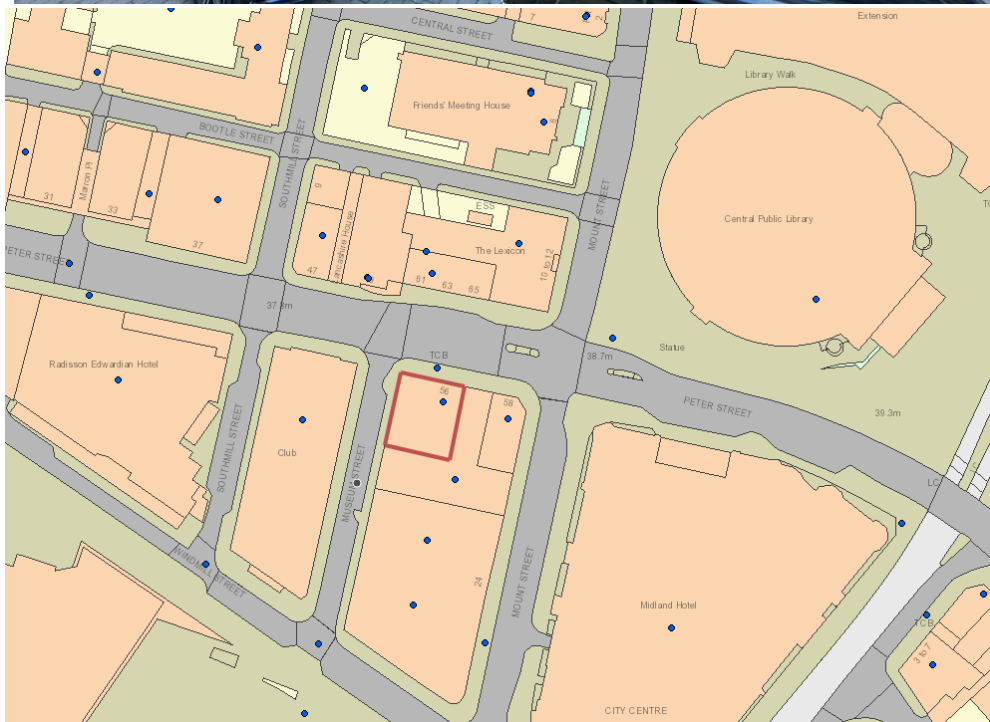
be had to relevant provisions of the national guidance and the Council's licensing policy statement.

- 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.**



Exhibition  
 St Georges House, 56 Peter Street, Manchester, M2  
 3NQ  
 Premises Licensing  
 Manchester City Council

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<b>PREMISE NAME:</b>	Exhibition
<b>PREMISE ADDRESS:</b>	St Georges House, 56 Peter Street, Manchester, M2 3NQ
<b>WARD:</b>	Deansgate
<b>HEARING DATE:</b>	21/08/2023

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

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# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	256288
Granted	08/04/2021
Latest version	Change of detail issued 30/09/2022

### Part 1 - Premises details

Name and address of premises
Exhibition St Georges House, 56 Peter Street, Manchester, M2 3NQ

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 regulated entertainment, limited to: Live music; Recorded music.</li> <li>3. 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	1100	1100	1100	1100	1100	1100	1100
Finish	0000	0000	0000	0000	0100	0100	0000
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non-standard Timings: New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							

Live music; Recorded music							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0000	0000	0000	0000	0100	0100	0000
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings: New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0000	0000	0000	0000	0100	0100	0000
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings: New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							

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	0030	0030	0030	0030	0130	0130	0030
Seasonal variations and Non-standard Timings: New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							

## Part 2

Details of premises licence holder	
Name:	Hannah Beswick Ltd
Address:	14 Kennedy Street, Manchester, M2 4BY
Registered number:	12681977

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	Sam Robert Wheatley
Address:	[REDACTED]
Personal Licence number:	16920
Issuing Authority:	City of York Council

Annex 1 – Mandatory conditions
<p>Door Supervisors</p> <p>1. Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: -</p> <ul style="list-style-type: none"> <li>(a) Unauthorised access or occupation (e.g. through door supervision),</li> <li>(b) Outbreaks of disorder, or</li> <li>(c) Damage,</li> </ul> <p>unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.</p>

## 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. Staff shall be trained in the requirements of the Licensing Act 2003 with regard to the Licensing Objectives.
2. A full CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.
3. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
4. 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.
5. 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.
6. The need for SIA registered door personnel will be risk assessed by a person in a managerial position. When employed, door staff will wear high visibility armbands.

7. 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.
8. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area set aside for that purpose and under the control of the premises licence holder.
9. Staff will be trained in the laws relating to under age sales, and that training shall be documented and repeated at 6 monthly intervals.
10. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.
11. A first aid box will be available at the premises at all times.
12. Regular safety checks shall be carried out by staff.
13. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
14. The premises shall maintain an Incident Log and public liability insurance.
15. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
16. The exterior of the building and external area shall be cleared of litter at regular intervals.
17. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
18. Doors and windows at the premises are to remain closed after 11pm, save for access and egress.
19. A Dispersal and Smoking Policy will be implemented and adhered to (see attached).
20. The emptying of bins into skips, deliveries and refuse collections will not take place between 10pm and 7:30am.
21. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
22. A "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. 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.
23. Staff training will include the Challenge 21 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.

24. Notices advising what forms of ID are acceptable must be displayed.

25. Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.

Annex 3 – Conditions attached after hearing by the licensing authority

Not applicable

Annex 4 – Plans

See attached

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

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**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 Hannah Beswick 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

<b>Premises licence number</b> 256288
------------------------------------------

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description  Exhibition 56 Peter Street			
Post town	Manchester	Postcode	M2 3NQ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£80,500

**Part 2 – Applicant details**

Daytime contact telephone number			
E-mail address (optional)	██████████		
Current postal address if different from premises address	██████████		
Post town	██████████	Postcode	██████████

**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 purpose of this application is to:

- 1) Amend the hours for the sale of alcohol, live and recorded music and late-night refreshment on Wednesdays, Thursdays, Fridays, Saturdays and Sundays until 03:00 plus 30 minutes opening, and
- 2) Make changes to conditions as suggest by Licensing Out of Hours in 2022 (which was agreed we could deal with next time the licence was varied) as follows:

Remove Conditions 1, 9 and 23 of Annex 2 and replace with:

***All staff shall be trained in:***

***Relevant age restrictions in respect of products (Challenge 21),***

***Recognising signs of drunkenness and vulnerability,***

***How to refuse service,***

***The premises duty of care policy,***

***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***

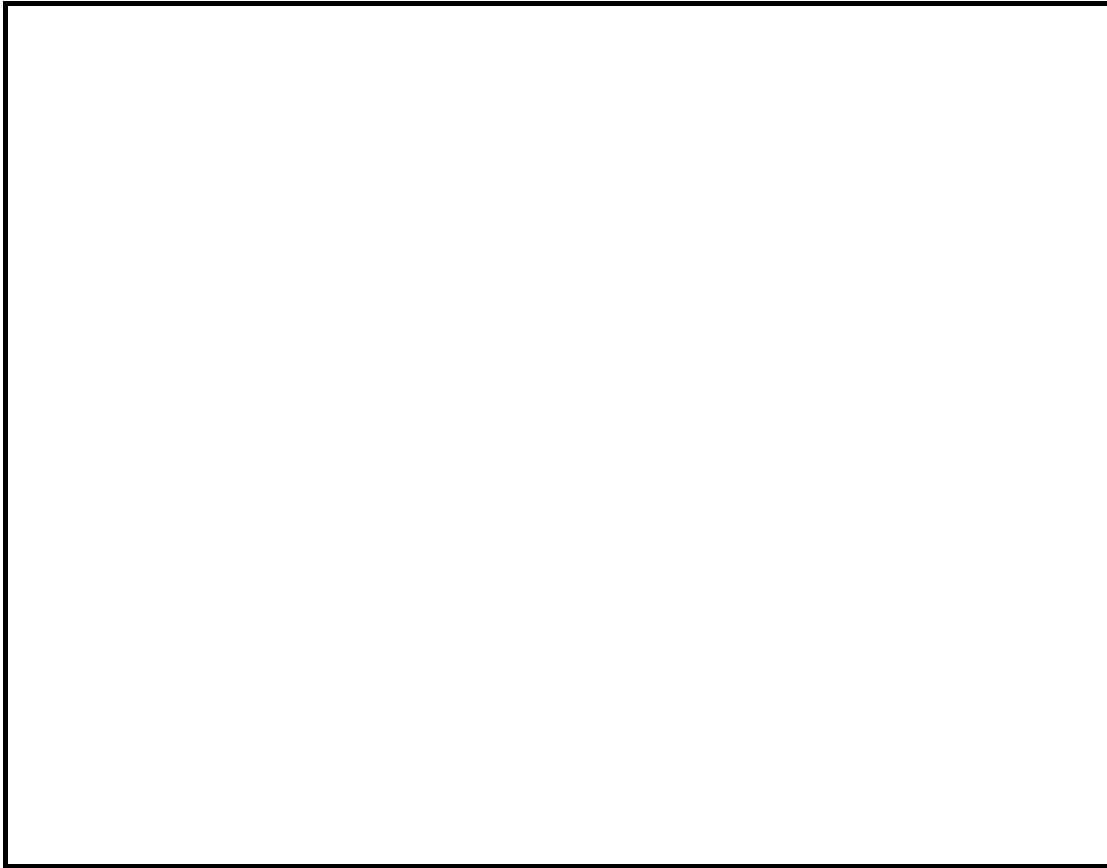
Remove conditions 12, 13 and 15 of annex 2.

The email from the Licensing Out of Hours team requesting these changes has been provided as support of this application.

To include the BST seasonal timings.

There are to be no other changes.





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.

<b>Provision of regulated entertainment (Please see guidance note 3)</b>	<b>Please tick all that apply</b>
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)	X
f) recorded music (if ticking yes, fill in box F)	X
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) X

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

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

A

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

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please <u>give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			State any <u>seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 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	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	1100	0000		<u>Please give further details here</u> (please read guidance note 5)	
Tue	1100	0000			
Wed	1100	0300		<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)	
Thur	1100	0300			
Fri	1100	0300		<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	1100	0300		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour on the day British Summer Time begins to disapply its effect.	
Sun	1100	0300			

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	X
Day				Start	Finish
				Both	<input type="checkbox"/>
Mon	1100	0000		<input type="checkbox"/>	<input type="checkbox"/>
Tue	1100	0000		<input type="checkbox"/>	<input type="checkbox"/>
Wed	1100	0300		<input type="checkbox"/>	<input type="checkbox"/>
Thur	1100	0300		<input type="checkbox"/>	<input type="checkbox"/>
Fri	1100	0300		<input type="checkbox"/>	<input type="checkbox"/>
Sat	1100	0300		<input type="checkbox"/>	<input type="checkbox"/>
Sun	1100	0300		<input type="checkbox"/>	<input type="checkbox"/>

Please give further details here (please read guidance note 5)

State any seasonal variations for the playing of recorded music  
(please read guidance note 6)

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 7)  
From the end of permitted hours on New Year's Eve to the  
start of permitted hours on New Year's Day.  
An additional hour on the day British Summer Time begins  
to disapply its effect.



G

<b>Performances of dance</b> 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"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Mon					
			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Tue					
			<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)		
Wed					
Thur					
Fri					
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		
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 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)		
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	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	2300	0000	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Tue	2300	0000			
Wed	2300	0300	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Thur	2300	0300			
Fri	2300	0300	<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) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour on the day British Summer Time begins to disapply its effect.		
Sat	2300	0300			
Sun	2300	0300			

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"/>
Day	Start	Finish		Both	X
Mon	1100	0000	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)		
Tue	1100	0000			
Wed	1100	0300			
Thur	1100	0300	<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) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour on the day British Summer Time begins to disapply its effect.		
Fri	1100	0300			
Sat	1100	0300			
Sun	1100	0300			

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 (please read guidance note 10).</b></p> <p>n/a</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)
Day	Start	Finish	
Mon	0800	0030	<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 7)</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>An additional hour on the day British Summer Time begins to disapply its effect.</p>
Tue	0800	0030	
Wed	0800	0330	
Thur	0800	0330	
Fri	0800	0330	
Sat	0800	0330	
Sun	0800	0330	

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.

Annex 2 – conditions 1/9/12/13/15/23 – please see attached email from Licensing Out of Hours.

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)**

As per those remaining conditions on the licence.

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

As per those remaining conditions on the licence.

**c) Public safety**

As per those remaining conditions on the licence.

**d) The prevention of public nuisance**

As per those remaining conditions on the licence.

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

As per those remaining conditions on the licence.

Checklist:

**Please tick to indicate agreement**

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

**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	████████████████████
Date	██ ██████
Capacity	████████████████████

**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)

████████████████████  
████████████████████

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



## Notes for Guidance

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

1. 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.

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## Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<p>1. All staff shall be trained in:</p> <ul style="list-style-type: none"> <li>• Relevant age restrictions in respect of products (Challenge 21);</li> <li>• Recognising signs of drunkenness and vulnerability;</li> <li>• How to refuse service;</li> <li>• The premises duty of care policy;</li> <li>• 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;</li> <li>• The conditions in force under this licence.</li> </ul> <p>2. 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>(N.B. – The above conditions are to replace existing conditions 1, 9 and 23 as contained within Annex 2 of the current premises licence)</p>	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
<p>3. On any day the premises carries out licensable activities beyond midnight SIA registered door supervisors shall be employed at a ratio of 1:100 from 10.00pm until the premises closes. At all other times, 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 shall wear high-visibility armbands.</p> <p>4. At least one member of door staff, situated at the entrance, shall wear and operate a body-worn video camera to capture incidents of disorder and/or antisocial behaviour. The footage from the body-worn video shall be downloadable and stored for 28 days and made available to the police and other responsible authorities.</p>	No	GMP

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

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# GREATER MANCHESTER POLICE - REPRESENTATION

## About You

Name	<b>PC Alan Isherwood</b>
Address including postcode	1 <sup>st</sup> Floor Manchester Town Hall Extension Lloyd Street Manchester
Contact Email Address	[REDACTED]
Contact Telephone Number	[REDACTED]

## About the Premises

Application Reference No.	<b>LPV 289883</b>
Name of the Premises	<b>Exhibition</b>
Address of the premises including postcode	St Georges House, 56 Peter Street, Manchester M2 3NQ

## 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 variation in relation to the above premises on the grounds of Prevention of Crime and Disorder, the Prevention of Public Nuisance and Public Safety.

The application seeks to extend the licensable hours for alcohol, regulated entertainment and late-night refreshment until 0300 hours Wednesday to Sunday with a closing time of 0330 hours.

The premises is situated on Peter Street, which is the busiest night- time economy location within the city centre and as such the licensed premises in this area are more likely to attract issues during the later hours of operation.

Therefore, there is a greater possibility that the licensing objectives will be undermined.

As such we would ask that more robust door staff conditions are attached to the premises licence to better ensure the continued smooth operation of the premises.

The conditions that we would ask for are as follows:

**On any day the premises carries out licensable activity beyond midnight SIA registered door supervisors shall be employed at a ratio of 1:100 from 10pm until the premises closes. At all other times, 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.**

**At least one member of door staff, situated at the entrance, shall wear and operate a body worn video camera to capture incidents of disorder and/or anti-social behaviour. The footage from the body worn video will be downloadable and stored for 28 days and made available to the police and other responsible authorities.**

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