



Licensing Sub Committee Hearing Panel

Date: Monday, 18 September 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

Councillors - Flanagan, Hilal and Hughes

Agenda

1. Urgent Business

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

2. Appeals

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

3. Interests

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

4. Application for a New Premises Licence - (TBC), 241 Barlow Moor Road, Manchester, M21 7QL

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

5. Application for a New Premises Licence - Tortilla, Unit 19a, The Arndale Centre, Market Street, Manchester, M4 3AQ

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

Information about the Committee

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

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

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

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

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

Smoking is not allowed in Council buildings.

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

Further Information

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

Ian Smith
Tel: 0161 234 3043
Email: ian.hinton-smith@manchester.gov.uk

This agenda was issued on **Thursday, 7 September 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 – 18 September 2023

Subject: (TBC), 241 Barlow Moor Road, Manchester, M21 7QL - App ref:
Premises Licence (new) 287791

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: Chorlton Park

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

| | |
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| A connected city: world class infrastructure and connectivity to drive growth | |
|-------------------------------------------------------------------------------|--|

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

Equal Opportunities Policy
 Risk Management
 Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Name: Bryan Johnson
 Position: Technical Licensing Officer
 Telephone: 0161 234 1248
 E-mail: premises.licensing@manchester.gov.uk

Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 25/07/2023, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of (TBC), 241 Barlow Moor Road, Manchester, M21 7QL in the Chorlton Park 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 Salar Henareh.
- 2.3 The description of the premises given by the applicant is: *Turkish Restaurant*
- 2.4 The proposed designated premises supervisor is Mr Ehsan Afroogh.
- 2.5 **The licensable activities applied for:**

Provision of regulated entertainment (recorded music):

Mon to Sun 11am to 11pm

The provision of regulated entertainment (recorded music) will take place indoors.

The supply of alcohol for consumption on the premises only:

Mon to Sun 11am to 11pm

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

Responsible Authorities:

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

Other Persons:

- Chorlton Ward Councillors;
- Residents (x6)
- Businesses (x2)

3.2 Summary of the representations:

| Party | Grounds of representation | Recommends |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| GMP | <p>GMP have objected to the application on the grounds that all of the Licensing Objectives would be undermined should the application be granted in its current form.</p> <p>The lack of enforceable conditions offered via the applications 'Operating Schedule' is of certain concern to GMP, and indicates to GMP that the applicant does not possess an in-depth knowledge of the licensing objectives and the general expectations placed upon a person when operating a licensed premises.</p> | Refuse |

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| | It is for the above reasons that GMP are requesting that the application be refused. | |
| Licensing and Out of Hours Compliance | <p>The LOOH Team have expressed similar concerns in regard to the application as GMP: that the 'Operating Schedule' section of the application is 'light-weight' and does not contain sufficiently 'robust' and enforceable conditions to enable the premises to adequately enforce and uphold the Four Licensing Objectives.</p> <p>LOOH Team have further reinforced their opinion regarding the above by stating that the location of the premises (in a heavily residential area of South Manchester) would most likely mean that the Licensing Objective relating to the prevention of public nuisance would be negatively impacted upon, should the application be granted.</p> <p>Therefore, the LOOH Team are requesting that the application be refused.</p> | Refuse |
| Trading Standards | <p>Trading Standards have submitted a representation against the application on the grounds of the applications 'Operating Schedule' providing little, if any, reassurance that the Licensing Objective relating to the protection of children from harm would be sufficiently and correctly upheld and enforced, should the application be granted in its current form.</p> <p>As a consequence, Trading Standards are requesting that a range of additional conditions be added to any granted premises licence that will ensure full compliance with the requirements of the Four Licensing Objectives, particularly with specific reference to the protection of children from harm</p> | Grant with additional conditions |
| Chorlton Ward Councillors | <p>It is of concern to the local Ward Councillors that an application has been submitted to operate a licensed premises (for the licensable activities and hours as applied for) in a highly residential location.</p> <p>The Ward Councillors believe that operating such a premises in such a location is likely to</p> | Grant with additional conditions (not specified) |

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| | <p>generate/attract antisocial behaviour and public nuisance issues (i.e. inebriated customers departing the premises after 11pm, potentially creating noise/antisocial behaviour issues, vehicles arriving at/departing from the premises in the evening, such as private hire taxi vehicles, etc.). The Ward Councillors are clear that, in their collective opinion, such incidents would have an unacceptable adverse effect upon the quality of life of local residents, particularly those residing adjacent/close to the premises.</p> <p>If the application is granted then the local Ward Councillors are requesting that specific conditions be added to the premises licence that would have a mitigating effect upon any potential public nuisance/antisocial behaviour incidents.</p> | |
| <p>Residents (x6)</p> | <p>The general consensus amongst those residents who have submitted a representation against the application is that granting a premises licence, for the hours and licensable activities as applied for (within a heavily residential area such as their own) is only likely to lead to the creation of noise/public nuisance and antisocial behaviour issues that will have an adverse effect upon the Four Licensing Objectives, and that will impact negatively upon local residents and the local area generally.</p> <p>Notable reference is made within all of the resident representations of the lack of available 'on-street' parking within the locality of the premises, and the potential that that has to create further public nuisance issues through inconsiderate parking by premises patrons (i.e. parking in front of adjacent/nearby residential premises and blocking access etc.). There is no plan (or opportunity) for the premises to create a dedicated car park for its customers and this would/will (in the opinion of several private residents) create further public nuisance issues with customers of the premises competing with local residents for car parking space.</p> <p>Overall, those private residents who have submitted a representation are seeking a</p> | <p>Refuse</p> |

| | | |
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| | refusal of the application. | |
| Businesses (x2) | <p>The two representations submitted by local businesses have both been received from the premises immediately adjacent to the premises at 241 Barlow Moor Road.</p> <p>In both instances reference has been made to the potential for noise/public nuisance and antisocial behaviour to be generated as a consequence of the premises operating to the hours as applied for.</p> <p>It has also been further suggested that, due to there being a noticeable lack of available parking within the locality of the premises, potential public nuisance issues could arise with future patrons of the premises being forced to park vehicles in front of adjacent/nearby residential and commercial premises (including their own), creating access and parking issues for residents etc.</p> | Refuse |

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

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 New Information

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

4.3 Hearsay Evidence

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

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

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

4.5 **Manchester Statement of Licensing Policy**

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

Section 6: What we aim to encourage

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

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

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

Section 7: Local factors

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

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

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

Section 9: Alcohol delivery services

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

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

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

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

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

Section 12: Premises Licences for large-scale public events

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

5. Conclusion

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

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

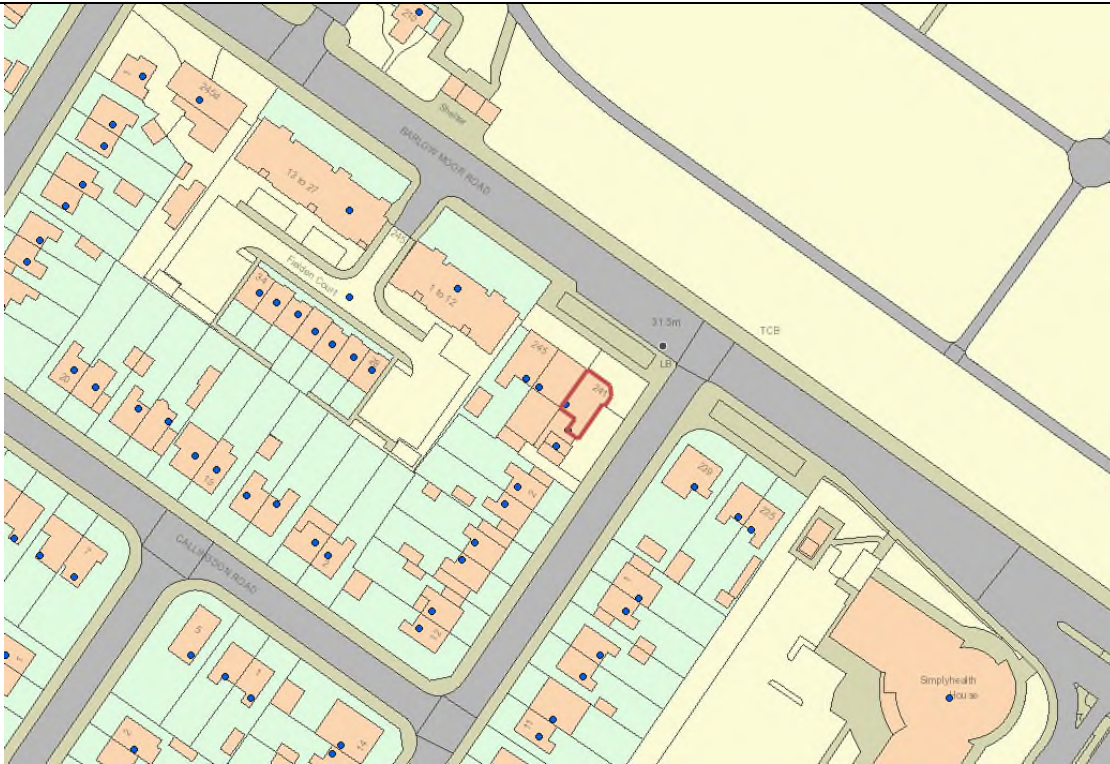
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(TBC)

241 Barlow Moor Road, Manchester, M21 7QL

Premises Licensing
Manchester City Council

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| | |
|-------------------------|-------------------------------------------|
| PREMISE NAME: | (TBC) |
| PREMISE ADDRESS: | 241 Barlow Moor Road, Manchester, M21 7QL |
| WARD: | Chorlton Park |
| HEARING DATE: | 18/09/2023 |

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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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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 SALAR MENAREH
(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 | |
| 24 BARLOW MOOR ROAD | |
| Post town | MANCHESTER |
| Postcode | M21 7QL |
| Telephone number at premises (if any) | [REDACTED] |
| Non-domestic rateable value of premises | £15,000 |

Part 2 - Applicant details

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

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

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

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| | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------|--|
| Post town | | Postcode | |
| Daytime contact telephone number | | | |
| E-mail address | | | |
| (optional) | | | |
| Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information) | | | |

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

| |
|-----------------------------------------------------------------------------------------------|
| Name |
| 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

DD MM YYYY

When do you want the premises licence to start?

| | | | | | |
|---|---|----|---|---|----|
| 3 | 0 | 05 | 2 | 0 | 23 |
|---|---|----|---|---|----|

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

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Please give a general description of the premises (please read guidance note 1)
 This will become a Licenced Turkish Restaurant which will provide hot, grilled, standard sized deep fried and cold foods. Opening hours will be from 11.00 am to 11.00 pm. There are 150 seatings.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that
apply

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

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

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

In all cases complete boxes K, L and M

A

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

B

| | | | |
|------|--|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | |
| Wed | | | <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5) |
| | | | |
| Thur | | | |
| | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6) |
| | | | |
| Sat | | | |
| | | | |
| Sun | | | |
| | | | |

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

C

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

| | | | | |
|--|--|--|---------|--------------------------|
| | | | Indoors | <input type="checkbox"/> |
|--|--|--|---------|--------------------------|

D

| Live music Standard days and timings (please read guidance note 7) | | | Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3) Non | Outdoors | <input type="checkbox"/> |
|------------------------------------------------------------------------|---------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------|
| Day | Start | Finish | | Both | <input type="checkbox"/> |
| Mon | | | Please give further details here (please read guidance note 4) | | |
| | | | | | |
| Tue | | | Please give further details here (please read guidance note 4) | | |
| | | | | | |
| Wed | | | State any seasonal variations for the performance of live music (please read guidance note 5) | | |
| | | | | | |
| Thur | | | State any seasonal variations for the performance of live music (please read guidance note 5) | | |
| | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| | | | | | |
| Sat | | | Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| | | | | | |
| Sun | | | Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| | | | | | |
| Recorded music Standard days and timings (please read guidance note 7) | | | Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | X <input type="checkbox"/> |
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| | | | Both | <input type="checkbox"/> | |
| Mon | 11.00am | 11.00pm | Please give further details here (please read guidance note 4) | | |
| | | | | | |
| Tue | | | Recorded music will be played only during opening hours, indoors only. | | |
| | | | | | |

RECORDED MUSIC

9

| | | | | |
|------------------------------------------------------------------------|---------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| read guidance note 7) | | | place indoors or outdoors or both – please tick (please read guidance note 3) | <input type="checkbox"/> |
| Day | Start | Finish | Outdoors | <input type="checkbox"/> |
| Mon | 11.00am | 11.00pm | Both | <input type="checkbox"/> |
| Please give further details here (please read guidance note 4) | | | | |
| Recorded music will be played only during opening hours, indoors only. | | | | |
| Tue | 11:00am | 11:00pm | | |
| Wed | 11:00am | 11:00pm | State any seasonal variations for the playing of recorded music (please read guidance note 5) | |
| Thur | 11:00am | 11:00pm | | |
| Fri | 11:00am | 11:00pm | Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6) | |
| Sat | 11:00am | 11:00pm | | |
| Sun | 11:00am | 11:00pm | | |

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

F

| | | |
|-----|--|--|
| | | |
| Sun | | |
| | | |

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

| | | | |
|-----------------------------------------------|--|---------|--------------------------|
| <p>Late night refreshment Standard</p> | | Indoors | <input type="checkbox"/> |
|-----------------------------------------------|--|---------|--------------------------|

G

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

| | | | | | |
|----------------------------------------------------------------------------------|---------|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 7) | | | <u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8) Only for consumption indoors, during opening hours. | On the premises | <input checked="" type="checkbox"/> |
| Day | Start | Finish | | Off the premises | <input type="checkbox"/> |
| Mon | 11.00am | 11.00pm | <u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5) | | |
| Tue | | | | | |
| | | | Both | <input type="checkbox"/> | |

J

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

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 | | MR EHSAN AFRODGH | |
| Date of birth | | [REDACTED] | |
| Address | | [REDACTED] | |
| Postcode | [REDACTED] | [REDACTED] | |
| Personal licence number (if known) | | [REDACTED] | |
| Issuing licensing authority (if known) | | SHEFFIELD CITY COUNCIL | |

L - HOURS PREMISES ARE OPEN TO THE PUBLIC

12

| | | |
|-----|---------|---------|
| Sat | 11:00am | 11:00pm |
| Sun | 11:00am | 11:00pm |

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

| | |
|----------------------------------------|----------------------------|
| Name | [REDACTED] MR EHSAN AFRIDI |
| Date of birth | [REDACTED] |
| Address | [REDACTED] |
| Postcode | [REDACTED] |
| Personal licence number (if known) | [REDACTED] |
| Issuing licensing authority (if known) | SHEFFIELD CITY COUNCIL |

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). Yes No

L

| | |
|---------------------------------------|-------------------------------------------------------------|
| Hours premises are open to the public | State any seasonal variations (please read guidance note 5) |
|---------------------------------------|-------------------------------------------------------------|

K

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

None

L

| Hours premises are open to the public Standard days and timings (please read guidance note 7) | | | State any seasonal variations (please read guidance note 5) |
|--------------------------------------------------------------------------------------------------|-------|--------|-------------------------------------------------------------|
| Day | Start | Finish | |
| Mon | 11 am | 11 pm | |
| Tue | 11 am | 11 pm | |
| Wed | 11 am | 11 pm | |
| Thur | 11 am | 11 pm | |
| Fri | 11 am | 11 pm | |
| Sat | 11 am | 11 pm | |
| Sun | 11 am | 11 pm | |

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

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 will be staffed with trained staff on all aspects of restaurant management and services. CCTV is available and in use. All mandatory signs will be displayed and clearly visible.

b) The prevention of crime and disorder

CCTV is available and in use. Trained staff will be able to handle all situations to control incidents in an effective manner.

c) Public safety

CCTV are in use on the premises. All mandatory signs will be visible and on display. Everything is served by trained staff. In cases of emergencies, staff are fully aware of procedures to take and who to contact. The manager will always be on site. Risk assessments will be carried out, and everything will be supervised and managed thoroughly.

d) The prevention of public nuisance

Alcohol will only be consumed on the premises strictly, served by trained staff only. No alcohol will be served to under 18's. Alcohol is served only with purchased foods and at tables, served by staff.

e) The protection of children from harm

CCTV is in use on site. Children are not allowed on site without adults. Under 18's are not served alcohol. All mandatory signs are displayed. Children will never be left unsupervised.

Checklist:

| Please tick to indicate agreement | | |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| • | I have made or enclosed payment of the fee. | <input checked="" type="checkbox"/> |
| • | I have enclosed the plan of the premises. | <input checked="" type="checkbox"/> |
| • | I have sent copies of this application and the plan to responsible authorities and others where applicable. | <input type="checkbox"/> |
| • | I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. | <input type="checkbox"/> |
| • | I understand that I must now advertise my application. | <input checked="" type="checkbox"/> |
| • | 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). | <input type="checkbox"/> |
| • | | <input checked="" type="checkbox"/> |

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

DECLARATION
I UNDERSTAND I

| | |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15) |
| Signature | Salar Henarch |
| Date | 27.4.23 |
| Capacity | Owner |

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

| | |
|-----------|------------|
| Signature | [REDACTED] |
| Date | 25/5/2023 |
| Capacity | OWNER |

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

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

Notes for Guidance

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

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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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GREATER MANCHESTER POLICE - REPRESENTATION

About You

| | |
|----------------------------|---------------------------------------------------------------------------------------|
| Name | PC Alan Isherwood |
| Address including postcode | 1 st Floor Manchester Town Hall Extension Lloyd Street Manchester |
| Contact Email Address | [REDACTED] |
| Contact Telephone Number | [REDACTED] |

About the Premises

| | |
|--------------------------------------------|------------------------------------------|
| Application Reference No. | LPA 287791 |
| Name of the Premises | TBC |
| Address of the premises including postcode | 241 Barlow Moor Road, Manchester M21 7QL |

Your Representation

Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the licence on the licensing objectives on and in the vicinity of the premises in question.

Please accept this as formal notification of the Greater Manchester Police objection to the premises licence in relation to the above premises on the grounds of Prevention of Crime and Disorder and the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.

The operating schedule which accompanies the application offers very little in terms of enforceable conditions. The conditions that have been offered are very vague and generic which gives the impression that the applicant has a limited understanding of the Licensing Objectives, which raises concerns about how the premises will be operated.

The likely effect of the grant of the Premises Licence with such a scant operating schedule is that all 4 of the Licensing Objectives will be undermined.

We therefore ask that this application is refused.



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

| | |
|------------------|---------------------------------------------|
| Name | Gemma Hunt |
| Job Title | Licensing & Out of Hours Compliance Officer |
| Department | Licensing and Out of Hours Compliance Team |
| Address | Hammerstone Road Depot, Gorton M18 8EQ |
| Email Address | [REDACTED] |
| Telephone Number | [REDACTED] |

Premise Details

| | |
|--------------------|-------------------------------------------|
| Application Ref No | 287791 |
| Name of Premises | (TBC) |
| Address | 241 Barlow Moor Road, Manchester, M21 7QL |

Representation

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

The Licensing & Out of Hours (LOOH) Team have assessed the application taking into consideration; the hours and activities applied for, the location of the premises and any effect the granting of the licence could have on any of the four licensing objectives.

The applicant has applied for a licence to sell alcohol & play recorded music from 11am until 11pm daily (although recorded music would be deregulated.) The applicant states there will be seating for 150 customers.

The premises is situated in a heavily residential area. The operating schedule is very limited and does not demonstrate that The Prevention of Public Nuisance objective has been considered. With such a large customer base there is a high potential for disturbance to neighbours, such as when they are arriving, on dispersal, and when smoking outside.

There is also a question around the proposed DPS living in Sheffield and a concern that the premises may operate with the DPS not being in day-to-day control.

In its current form the LOOH team object to the grant of the application. However, we remain open to negotiation should the applicant be able to propose mitigation to the above concerns.

Recommendation: Refuse Application

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

| ABOUT YOU | | PLEASE NOTE: LICENSING OFFICERS, LICENSING COMMITTEE MEMBERS AND THE APPLICANT CAN VIEW THE INFORMATION PROVIDED ON THIS FORM |
|--------------------------------------------------------------------------|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| Your first name (required) | Your last name (required) | |
| Stuart | Wild | |
| Your address including postcode (required) | | |
| Trading Standards Service 1 Hammerstone Road Manchester M18 8EQ | | |
| Contact email address | Contact phone no | |
| [REDACTED] | [REDACTED] | |

| ABOUT THE PREMISES |
|----------------------------------------------------------------------------------|
| Application Ref No. (if known): |
| LPA 287791 |
| Name of the Premises about which you would like to make a representation: |
| TBC |
| Address of the Premises (including postcode if known): |
| 241 Barlow Moor Road, Manchester, M217QL |

| YOUR REPRESENTATION |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary) |
| <p>The Trading Standards Team have assessed the likely impact of the granting of this application taking into account a number of factors, including the conditions offered and times applied for and any potential risk that the granting of this application could lead to issues which do not uphold the licensing objectives specifically the protection of children from harm.</p> <p>The application is for a licence to sell alcohol within a restaurant.</p> <p>When considering the application, the Trading Standards Team have given consideration to Manchester City Councils Statement of Licensing Policy 2021 – 2026.</p> <p>The original application addresses few points relating to the Licensing Objectives especially in protecting children from harm.</p> <p>Giving consideration to the above application, the Trading Standards Team therefore recommend that the following conditions are applied to the licence.</p> <ol style="list-style-type: none"> 1. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram. |

2. All staff engaged in the sale of alcohol will be trained with regards to the Challenge 25 policy and sales by proxy. This training will be documented, and training should be refreshed at no greater than 6 monthly Intervals.
3. The Premises Licence Holder will ensure that signage demonstrating the Challenge 25 policy as well as selling alcohol to children by proxy are placed at the entrance to the premises as well as being displayed in all areas serving alcohol.
4. A log shall be kept and record all instances when alcohol has been refused for the reasons that the person(s) is, or appear to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.

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

241 Barlow Moor Road Application for premises licence

Premises Licensing

To: Bryan Johnson
Fri 04/08/2023 08:40

From: Mandie Shilton Godwin [REDACTED]
Sent: 03 August 2023 18:35
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: Joanna Midgley [REDACTED] Dave Rawson
Subject: 241 Barlow Moor Road Application for premises licence

Good evening

I write on behalf of the Chorlton Park councillors to support residents' objections to this licence as given the proposed scale of the business in this quiet location where there is little public transport residents are very worried about any antisocial behaviour it will attract.

Therefore we object on the grounds that there is a potential risk of public nuisance from people leaving the premises late at night, including in vehicles, so starting engines, etc, past 11 pm on a street where there are many families with young children .

We request that if the licence is granted that conditions are attached to reflect and mitigate the local impact that this will have.

Kind regards

Councillor Mandie Shilton Godwin
Labour and Co-operative Member for Chorlton Park
Chair, Environment, Climate Change and Neighbourhood Scrutiny Committee
Lead Member for Active Travel
Manchester City Council
Members Services
Town Hall
Manchester M60 2LA
[REDACTED]

LPA287791 Premises Licence (new): (TBC), 241 Barlow Moor Road, Manchester, M21 7QL, (Chorlton Park ward) – APPLICATION RESTARTED

Premises Licensing
To: Bryan Johnson
Tue 15/08/2023 11:39

From: [REDACTED]
Sent: 15 August 2023 11:21
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Re: LPA287791 Premises Licence (new): (TBC), 241 Barlow Moor Road, Manchester, M21 7QL, (Chorlton Park ward) – APPLICATION RESTARTED

Good morning,

I wish to register my opposition to the above licence application on the basis of public nuisance as there is absolutely no provision for on-site parking, which clearly means customers will park on surrounding roads and in particular the top of Aldermay Road which has had double yellow lines installed with its junction with Barlow Moor road which I believe was intended to prevent congestion at the junction of Barlow Moor Road and Aldermay Road which will not be improved with restaurant customers ignoring yellow lines which is already a regular occurrence at the moment.

Add to this late night noise from customers leaving the restaurant, from car engines doors banging etc and residents returning home from work unable to find parking spaces close to their homes and I believe it will compound the existing parking issues with office staff, cemetery parking and the overuse of the area by driving instructors carrying out parking manoeuvres .

I would have to question why a license would be granted to an establishment in a quiet residential area which has made no effort to provide customer parking and in fact have removed parking spaces by adding an extension to the property without planning permission.

Regards

[REDACTED]

Sent from my iPad

241 Barlow Moor Road - Proposed license

From: [REDACTED]
Sent: 30 July 2023 20:05
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: 241 Barlow Moor Road-proposed licensed

Dear Sir/Madam

I am writing in reference to the above proposed premises licence. As a homeowner and resident in the area I am very concerned about the impact that this licence can have on the surrounding area, such as parking, noise level from the music, congestion, in particular going in or out of Aldermary Road.

Parking in this residential area is already a problem due to cars from near-by offices occupying all parking spaces on Aldermary and Callington Road. The opening times are very inappropriate for such a residential area. The vans from builders that are carrying out the work are already causing congestion by parking on double yellow lines on both sides of Aldermary Road which is obstructing traffic and the view for drivers going out in particular.

I would urge you to reconsider your decision for the benefit of the environment and the residents who live around the premises in question.

Thank you

Regards

[REDACTED]

[REDACTED]

License for 241 Barlow Moor Road M21 7QL**From:** [REDACTED]**Sent:** 02 August 2023 17:49**To:** Premises Licensing <Premises.Licensing@manchester.gov.uk>; Joanna Midgley

[REDACTED]; Dave Rawson [REDACTED]

Mandie Shilton Godwin [REDACTED]

Subject: License for 241 Barlow Moor Road M21 7QL

I would like to object to the licensing of 241 Barlow Moor Road Manchester M21 7QL aka Shy Bar.

This is, and has always been, a relatively quiet residential area with many families bringing up young children. However it is an area that is not without problems - antisocial behaviour, particularly speeding drivers are a regular concern alongside parking issues. There have been numerous issues with parking at the junction of Barlow Moor Road and Aldermary Road - where this bar is to be located - that have made it dangerous. Yellow lines are routinely ignored, cars parked across residents driveways etc. This proposed bar has extremely limited parking and residents are concerned about the impact upon neighbouring streets. Councillors are well aware of these issues that residents have faced and have worked hard to support action on these issues.

There are also concerns about the impact of the noise of customers leaving late at night/ noise from entertainment. As mentioned this is a residential area with a number of families with small children. Whilst alcohol maybe served only until 11pm customers would probably not leave until significantly later creating a disturbance as they do so.

Other anti-social behaviour in the vicinity includes drug dealing - openly on the street and in the cemetery, dumping of untaxed/stolen cars - all of which we are trying to tackle and this therefore seems like a backwards step that will attract yet more antisocial behaviour.

Historically the site was a stone masons and this would be a complete change of use that is not required - there are plenty of bars within walking distance. The development of this site was beset with antisocial bullying and harassment behaviour from the builders and the residential element has become an Air BNB type endeavour which again is causing issues - overflowing bins that are not emptied as clients have put the wrong items in them, drunken noisy behaviour etc.

I have cc'd in the local councillors as there are serious concerns around how this development has been managed from the start.

Regards

[REDACTED]

RES4

From: [REDACTED]
Sent: 05 August 2023 10:12
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>; Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: Dave Rawson [REDACTED]; Mandie Shilton Godwin [REDACTED]; Joanna Midgley [REDACTED]
Subject: Enquiry into planning permission at 241 Barlow Moor road

Hello there,
I would like to raise an enquiry into the proposed planning application at 241 Barlow moor road, which indicates a change in licensing to allow for music to be played until 11pm as well as alcohol served.

As resident [REDACTED] and with a young family I am concerned about the impact this change may have on the nearby community of which is entirely residential. In particular I would like to address the potential that music being played until 11pm, if loud, would be disruptive to the neighbors and an unnecessary nuisance.

Secondly, if alcohol is to be served until late this may also lead to anti social behaviour in the neighbouring streets.

It is unclear to me what sort of venue is being constructed but I would appreciate some clarity and formal response to the questions raised.

Further to this, I would like to reiterate the existing issue of parking on Aldermay road which is already in short supply, particularly since the introduction of the new yellow lines. This new commercial enterprise will likely only exacerbate this issue more.

Thanks and looking forward to hearing from you. Please accept apologies for missing the official deadline for comments (by 10 hours)

Regards

[REDACTED]

[REDACTED]

RES 5

From: [REDACTED]

Sent: 05 August 2023 10:28

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

Cc: Dave Rawson [REDACTED]

[REDACTED]; Joanna Midgley [REDACTED]; Mandie Shilton
Godwin [REDACTED]

Subject: Enquiry into planning permission at 241 Barlow Moor road

Hello there,

I would like to raise an enquiry into the proposed planning application at 241 Barlow moor road, which indicates a change in licensing to allow for music to be played until 11pm as well as alcohol served.

As resident [REDACTED] and with a young family I am concerned about the impact this change may have on the nearby community of which is entirely residential. In particular I would like to address the potential that music being played until 11pm, if loud, would be disruptive to the neighbours and an unnecessary nuisance.

Secondly, if alcohol is to be served until late this may also lead to antisocial behaviour in the neighbouring streets.

It is unclear to me what sort of venue is being constructed but I would appreciate some clarity and formal response to the questions raised.

Further to this, I would like to reiterate the existing issue of parking on Aldermay road which is already in short supply, particularly since the introduction of the new yellow lines. This new commercial enterprise will likely only exacerbate this issue more.

Thanks and looking forward to hearing from you. Please accept apologies for missing the official deadline for comments (by 10 hours)

Regards

[REDACTED]

[REDACTED]

RES 6

From: [REDACTED]
Sent: 19 August 2023 15:01
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: Objection to proposed licensable activities of 241 Barlow Moor Road.

Objection to the proposed licence activities for 241 Barlow Moor Road Manchester M21 7QL.

We would like to object to the proposed licence activities. The initial planning permission we were given due warning about - ref no 120217/FO/2018 - advised that the planning permission was for: "Erection of a two storey rear extension following demolition of existing extension, elevational and roof alterations to existing building to two number self contained apartments and three floors of commercial floorspace classes A1, A2 and B1 with associated car parking, refuse storage, boundary treatment and landscaping."

None of the above classes permit food and drink to be served upon the premises (class A1 allows for the sale of cold food for consumption off premises). However, the building already has signs up announcing it will be a Café & Restaurant.

If building was renovated to be a restaurant and to serve food and alcohol until 11pm we believe this should have been declared as part of the initial proposal in 2018. Furthermore, we haven't received any communications informing us of planning permission in relation to the premises being used for anything other than the above-mentioned classes. Our landlord has been advised that no application has been made since 2019 which leads us to believe that the premises are not licensed for the activities declared on the signage. If there has been no application for the necessary activities of a Café and Restaurant it's presumptuous to put up signage without first seeking permission from the Council.

We didn't raise objections previously as the outlined options for A1, A2 and B1 suggested the premises would be used for office hours, with little to no noise pollution. The proposal to remain open Monday to Sunday 11am – 11pm with music and the serving of alcohol does not match the initial proposal.

There are several practical considerations as to why the premises are unsuitable for a Café & Restaurant.

This is a quiet residential area. There will be noise pollution from patrons, staff, music, deliveries & extractor fans. Several of those sources will continue past the 11pm opening time as the business will need to clean down prior to closing. In particular, noise past 11pm will impact local residents trying to sleep and would likely constitute a statutory noise nuisance.

There are no loading areas for good vehicles. A Café & Restaurant will require frequent deliveries in order to restock. There are no allocated loading areas and it's difficult to see where deliveries could be received without causing repeated inconvenience to local residents or a dangerous obstruction on the roads.

There is already very limited parking around the premises. Many of the patrons of a Café & Restaurant would likely wish to park in proximity to the site. The absence of a dedicated car park means patrons would be parking in spaces typically occupied by local residents. The competition for parking would be a nuisance to local residents and patrons alike.

A Café & Restaurant could result in nuisance odours. Given the proximity of 241 to other residences the adjacent buildings will not be able to avoid the smells emanating from the premises. Refuse will be consolidated prior to collection, many of the patrons could be smokers and commercial kitchens output a variety of odours. [REDACTED] [REDACTED] [REDACTED]
 [REDACTED]

The combination of the above factors could also have a negative impact on the valuation of local properties and the appeal of rented accommodations. Potential homeowners/tenants are unlikely to look favourably on property that is adjacent to a noisy, smelly property with limited parking.

We would like to strongly object to this last minute, significant change of what we were notified of.

Kind regards,

[REDACTED]

Schedule of Licence Conditions

| Conditions consistent with the operating schedule | Agreed | Proposed by |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------|
| <ol style="list-style-type: none"> 1. The premises shall be staffed with trained staff on all aspects of restaurant management and services. 2. CCTV is available and in use. 3. All mandatory signs shall be displayed and clearly visible. 4. In cases of emergencies, staff shall be fully aware of procedures to take and who to contact. 5. The manager shall always be on site. 6. Risk assessments shall be carried out, and everything shall be supervised and managed thoroughly. 7. Alcohol shall only be consumed on the premises strictly, served by trained staff only. 8. No alcohol shall be served to under 18's. 9. Alcohol shall be served only with purchased foods and at tables served by staff. 10. Children shall not be allowed on site without adults. 11. Children shall not be left unsupervised. | N/A | Applicant |
| | | |
| Conditions proposed by objectors | Agreed | Proposed by |
| <ol style="list-style-type: none"> 12. The 'Challenge 25' Scheme shall be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram. 13. All staff engaged in the sale of alcohol shall be trained with regards to the 'Challenge 25' policy and sales by proxy. This training shall be documented, and training shall be refreshed at no greater than 6 monthly Intervals. 14. The Premises Licence Holder shall ensure that signage demonstrating the 'Challenge 25' policy, as well as selling alcohol to children by proxy, are placed at the entrance to the premises as well as being displayed in all areas serving alcohol. 15. A log shall be kept and shall record all instances when alcohol has been refused for the reasons that the person(s) is, or appear to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log shall be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor | No | Trading Standards |

Schedule of Licence Conditions

| | | |
|---------------------------------------------------------------------------------------|--|--|
| to ensure that it is being used by staff and each check shall be recorded in the log. | | |
|---------------------------------------------------------------------------------------|--|--|

**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 18 September 2023

Subject: Tortilla, Unit 19a, The Arndale Centre, Market Street, Manchester, M4 3AQ - App ref: Premises Licence (new) 290988

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendations

That the Panel determine the application.

Wards Affected: Piccadilly

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

| | |
|-------------------------------------------------------------------------------|--|
| A connected city: world class infrastructure and connectivity to drive growth | |
|-------------------------------------------------------------------------------|--|

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Name: Bryan Johnson
Position: Technical Licensing Officer
Telephone: 0161 234 1248
E-mail: premises.licensing@manchester.gov.uk

Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 24/07/2023, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Tortilla, Unit 19a, The Arndale Centre, Market Street, Manchester, M4 3AQ 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 Mexican Grill Limited.
- 2.3 The description of the premises given by the applicant is: *Mexican Restaurant*
- 2.4 The proposed designated premises supervisor is Mr Robert John Lucy.

2.5 **The licensable activities applied for:**

Provision of late-night refreshment:

Fri to Sat 11pm to 12midnight

The provision of late-night refreshment will take place indoors.

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

Sun to Thu 10am to 11pm

Fri to Sat 10am to 12midnight

- 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 1 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;

3.2 Summary of the representations:

| Party | Grounds of representation | Recommends |
|-----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| <p>Licensing and Out of Hours Compliance</p> | <p>LOOH Compliance have submitted a representation against the application on the grounds of the Licensing Objective relating to the prevention of crime and disorder likely to be adversely impacted upon should the application be granted in its original format.</p> <p>Due to the location of the premises (within Manchester Arndale Centre) combined with the fact that children and young persons frequent said location and also taking into account recent recorded incidents of large-scale disorder and criminal activity within the wider Arndale Centre itself (i.e. organised gangs of youths rampaging around the shopping centre , causing violent disorder and stealing from premises within the shopping centre), LOOH Compliance are requesting the addition of (and amendment to submitted) conditions that they believe will strengthen the enforcement and</p> | <p>Grant with conditions</p> |

| | | |
|--|----------------------------------------------------------------------------------------------------------------|--|
| | upholding of the Four Licensing Objectives, particularly in reference to the prevention of crime and disorder. | |
|--|----------------------------------------------------------------------------------------------------------------|--|

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

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 New Information

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

4.3 Hearsay Evidence

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

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

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

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

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

4.5 Manchester Statement of Licensing Policy

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

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

- Evidence of pre-existing problems in the area
- Consistency with relevant Council strategies

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

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

- 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
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

Section 9: Alcohol delivery services

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

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

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

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

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

Section 12: Premises Licences for large-scale public events

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

5. Conclusion

- 5.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 5.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also

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

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

Tortilla
 Unit 19a, The Arndale Centre, Market Street,
 Manchester, M4 3AQ
 Premises Licensing
 Manchester City Council

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| | |
|-------------------------|-----------------------------------------------------------------|
| PREMISE NAME: | Tortilla |
| PREMISE ADDRESS: | Unit 19a, The Arndale Centre, Market Street, Manchester, M4 3AQ |
| WARD: | Deansgate |
| HEARING DATE: | 18/09/2023 |

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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 Mexican Grill Limited

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

| | | | |
|--------------------------------------------------------------------------------------|------------|----------|--------|
| Postal address of premises or, if none, ordnance survey map reference or description | | | |
| Tortilla Unit 19a The Arndale Centre | | | |
| Post town | Manchester | Postcode | M4 3AQ |

| | |
|-----------------------------------------|---|
| Telephone number at premises (if any) | |
| Non-domestic rateable value of premises | £ |

Part 2 - Applicant details

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

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

(B) OTHER APPLICANTS

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

| |
|--------------------------------------------------------------------------------------------------------------------------|
| Name Mexican Grill Limited |
| Address 1st Floor Evelyn House, 142 New Cavendish Street, London, United Kingdom, W1W 6YF |
| Registered number (where applicable) 05553988 |
| Description of applicant (for example, partnership, company, unincorporated association etc.) private limited company |
| Telephone number (if any) |
| E-mail address (optional) [REDACTED] |

Part 3 Operating Schedule

When do you want the premises licence to start?

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

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

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

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

Mexican restaurant in the Arndale Centre with the sale of food and drink for consumption on and off the premises

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

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

E

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

F

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

G

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

H

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

I

| Late night refreshment Standard days and timings (please read guidance note 7) | | | Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3) | Indoors | <input checked="" type="checkbox"/> |
|--------------------------------------------------------------------------------------|-------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------------------------------|
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 4) | | |
| Mon | | | | | |
| Tue | | | | | |
| Wed | | | State any seasonal variations for the provision of late night refreshment (please read guidance note 5) | | |
| Thur | | | | | |
| Fri | 23:00 | 00:00 | Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6) | | |
| Sat | 23:00 | 00:00 | | | |
| Sun | | | | | |
| | | | From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. | | |

J

| | | | | | |
|----------------------------------------------------------------------------------------|-------|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 7) | | | Will the supply of alcohol be for consumption – please tick (please read guidance note 8) | On the premises | <input type="checkbox"/> |
| | | | | Off the premises | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 5) | | |
| Mon | 10:00 | 23:00 | | | |
| Tue | 10:00 | 23:00 | | | |
| Wed | 10:00 | 23:00 | | | |
| Thur | 10:00 | 23:00 | | | |
| Fri | 10:00 | 00:00 | | | |
| Sat | 10:00 | 00:00 | | | |
| Sun | 10:00 | 23:00 | | | |
| | | | Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) | | |
| | | | From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. | | |

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 Robert John Lucy | |
| Date of birth [REDACTED] | |
| Address [REDACTED] | |
| Postcode | [REDACTED] |
| Personal licence number (if known) [REDACTED] | |
| Issuing licensing authority (if known) Redbridge Council | |

K

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

n/a

L

| | | | |
|------------------------------------------------------------------------------------------------------------|-------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Hours premises are open to the public Standard days and timings (please read guidance note 7) | | | State any seasonal variations (please read guidance note 5) |
| Day | Start | Finish | Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. |
| Mon | 08:00 | 23:30 | |
| Tue | 08:00 | 23:30 | |
| Wed | 08:00 | 23:30 | |
| Thur | 08:00 | 23:30 | |
| Fri | 08:00 | 00:30 | |
| Sat | 08:00 | 00:30 | |
| Sun | 08:00 | 23:30 | |
| | | | |
| | | | |

M

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

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

Please see the attached schedule of proposed conditions to address the licensing objectives and Policy.

b) The prevention of crime and disorder

Please see the attached schedule of proposed conditions to address the licensing objectives and Policy.

c) Public safety

Please see the attached schedule of proposed conditions to address the licensing objectives and Policy.

d) The prevention of public nuisance

Please see the attached schedule of proposed conditions to address the licensing objectives and Policy.

e) The protection of children from harm

Please see the attached schedule of proposed conditions to address the licensing objectives and Policy.

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

| | |
|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Declaration | <ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15) |
| Signature |  |
| Date | 24 th July 2023 |
| Capacity |  |

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

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

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

Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the 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.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. 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.
 8. 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'.
 9. 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.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.
 15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

They do this in one of two ways:

- 1) by providing with this application, copies or scanned copies of the documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance.
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Home Office online right to work checking service.

As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth, will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

July 2023

Application for Premises Licence**Tortilla
Unit 19a The Arndale Centre Manchester M4 3AQ****Premises Description:**

Mexican restaurant in the Arndale Centre with the sale of food and drink for consumption on and off the premises

Proposed Hours

| | |
|--------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| Sale of Alcohol (on and off) Late Night Refreshment | Sunday – Thursday: 10:00 – 23:00 Friday & Saturday: 10:00 – 00:00 |
| Opening Hours | Sunday - Thursday: 08:00 – 23:30 Friday & Saturday: 08:00 – 00:30 |
| Non-standard hours | From the end of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day. |

Proposed Conditions

1. The consumption of alcohol at the premises shall only be by seated persons.
2. 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.
3. The premises shall operate a CCTV system that complies with the minimum requirements of the GMP Police Licensing Team.
4. The premises licence holder must ensure that:
 - a. CCTV cameras are located within the premises to cover all public areas including all entrances and exits
 - b. The system records clear images permitting the identification of individuals
 - c. The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 day
 - d. The CCTV system operates at all times while the premises are open for licensable activities
 - e. All equipment must have a constant and accurate time and date generation
 - f. The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected

- g. There must be at least one member of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).
5. The Challenge 21 scheme must be operated to ensure that any person who appears to be under the age of 21 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.
6. The Premises Licence Holder will ensure that signage demonstrating the Challenge 21 policy is placed at the entrance to the premises as well as being displayed in all areas serving alcohol.
7. All staff engaged in the sale of alcohol will be trained with regards to the Challenge 21 policy and sales by proxy. This training will be documented, and training should be refreshed at no greater than 6 monthly intervals.
8. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within a reasonable time of a request by an officer of a Responsible Authority.
9. Any and all of the following incidents must be noted including pertinent details and, as appropriate, reported promptly so that investigations can be made and action taken.
 - a. alleged crimes reported to the venue or by the venue to the police
 - b. ejections of patrons
 - c. complaints received
 - d. incidents of disorder
 - e. seizures of drugs, offensive weapons, fraudulent ID or other items
 - f. faults in the CCTV system, searching equipment or scanning equipment
 - g. refusal of the sale of alcohol
 - h. visit by a responsible authority or emergency service
 - i. the times on duty, names and the licence numbers of all licensed door supervisors employed by the premises.
 - j. suspicious behaviour by patrons or members of the public close to a venue.
10. Incident logs (which may be kept electronically) must be kept at the premises for at least six months and made available on request to the police or an authorised officer of the licensing authority.
11. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
12. All staff authorised to sell alcohol shall be trained in:
 - a. Relevant age restrictions in respect of products
 - b. Prevent underage sales
 - c. Prevent proxy sales
 - d. Maintain the refusals log
 - e. Recognising signs of drunkenness and vulnerability
 - f. How overservice of alcohol impacts on the four objectives of the Licensing Act 2003

- g. How to refuse service
 - h. The premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment; and how to report issues of modern slavery and trafficking
 - i. The conditions in force under this licence.
13. The premises shall have a documented Duty of Care policy for managing intoxicated and vulnerable customers and dealing with incidents of harassment at the premises. The policy shall also include provision for persons refused entry to the premises who are also considered vulnerable by staff.
14. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to, a takeaway or delivered meal or to a designated seating area outside the premises unit.

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

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**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

| | |
|------------------------|--------------------------------------------------------------------|
| Premise Details | |
| Application Ref No | 290988 |
| Name of Premises | Tortilla |
| Address | Unit 19a, The Arndale Centre, Market Street, Manchester, M4 3AQ |

| |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Representation |
| <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 (LOOHT) have assessed the likely impact of granting the new licence, taking into account a number of factors, including, the nature of the area in which the premises is located, the hours applied for and any potential risk that the granting of this new Licence could undermine the licensing objectives.</p> <p>The application is for a Mexican restaurant located on the upper floor of the Manchester Arndale Centre. The proposed operating times are Sun – Thurs 8am – 11.30pm Sat – Sun 8am – 12.30pm With the provision of late night refreshments and the supply of alcohol.</p> <p>LOOHT consider the following changes to the proposed conditions will strengthen the compliance and fully uphold the licensing objectives.</p> <p>Annex 2:</p> <ul style="list-style-type: none"> 1. The consumption of alcohol at the premises shall only be by seated persons. <p>Changed to</p> <p><i>The consumption of alcohol at the premises shall only be by seated persons ancillary to a meal.</i></p> <ul style="list-style-type: none"> 9. Any and all of the following incidents must be noted including pertinent details and, as appropriate, reported promptly so that investigations can be made and action taken. |

- Changed to
- ***Any and all of the following incidents must be recorded including pertinent details and, as appropriate, reported promptly so that investigations can be made and action taken.***
- 14. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to, a takeaway or delivered meal or to a designated seating area outside the premises unit.

Changed to

- ***14. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to, a takeaway or delivered meal.***
- ***All sales of alcohol for consumption off the premises shall be sealed containers only.***

And the addition of: -

- ***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 under the age of 18.***

Manchester Arndale is a family shopping centre attracting youths and young people, although there is a condition for sales by proxy training, to ensure the protection from children harm objective is upheld, LOOH recommends the condition to erect signage.

Due to the proposed trading hours and the sale of alcohol, Manchester Arndale is a busy family shopping centre. There have been a number of incidents of largescale violent disorder in the last few months in the Arndale, involving large groups of youths running in and out of units and causing disorder and stealing items from shops and premises. Therefore, LOOH advise the following condition is included to ensure the prevention of crime and disorder and public safety is upheld.

- ***The DPS must continually risk assess the requirement for door supervisors and record decisions made.***

With the agreed conditions added, LOOH would recommend approval of the application.

Recommendation: Approve with Conditions (Outlined Above)

Schedule of Licence Conditions

| Conditions consistent with the operating schedule | Agreed | Proposed by |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|-------------|
| <ol style="list-style-type: none"> 1. The consumption of alcohol at the premises shall only be by seated persons. 2. At all times 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 shall 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 shall 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 shall 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. 3. The premises shall operate a CCTV system that complies with the minimum requirements of the GMP Police Licensing Team. 4. The Premises Licence Holder shall ensure that: <ol style="list-style-type: none"> a) CCTV cameras are located within the premises to cover all public areas including all entrances and exits; b) the system records clear images permitting the identification of individuals; c) the CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days; d) the CCTV system operates at all times while the premises are open for licensable activities; e) all equipment shall have a constant and accurate time and date generation; f) the CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected; g) there shall be at least one member of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation). 5. The Challenge 21 Scheme shall be operated to ensure that any person who appears to be under the age of 21 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. | N/A | Applicant |

Schedule of Licence Conditions

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| <p>6. The Premises Licence Holder shall ensure that signage demonstrating the Challenge 21 policy is placed at the entrance to the premises as well as being displayed in all areas serving alcohol.</p> <p>7. All staff engaged in the sale of alcohol shall be trained with regards to the Challenge 21 policy and sales by proxy. This training shall be documented, and training shall be refreshed at no greater than 6 monthly Intervals.</p> <p>8. A refusals record shall be kept at the premises which details all refusals to sell alcohol. This record shall include the date and time of the incident, the name of the staff member who refused the sale, and the reason the sale was refused. All entries shall be made within 24 hours of the refusal. The record shall be made available for inspection and copying within a reasonable time of a request by an officer of a Responsible Authority.</p> <p>9. Any and all of the following incidents shall be noted including pertinent details, and, as appropriate, reported promptly so that investigations can be made and action taken:</p> <ul style="list-style-type: none"> a) all alleged crimes reported to the venue or by the venue to the police; b) all ejections of patrons; c) any complaints received; d) any incidents of disorder; e) any seizures of drugs, offensive weapons, fraudulent ID or other items; f) any faults in the CCTV system, searching equipment or scanning equipment; g) any refusal of the sale of alcohol; h) any visit by a responsible authority or emergency service; i) the times on duty, names and the licence numbers of all licensed door supervisors employed by the premises; j) any suspicious behaviour by patrons or members of the public close to a venue. <p>10. Incident Logs (which may be kept electronically) shall be kept at the premises for at least six months and made available on request to the police or an authorised officer of the licensing authority.</p> <p>11. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.</p> <p>12. All staff authorised to sell alcohol shall be trained in:</p> <ul style="list-style-type: none"> a) relevant age restrictions in respect of products; b) how to prevent underage sales; c) how to prevent proxy sales; d) how to maintain the refusals log; e) recognising signs of drunkenness and vulnerability; | | |
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Schedule of Licence Conditions

| <p>f) how overservice of alcohol impacts on the four objectives of the Licensing Act 2003;</p> <p>g) how to refuse service;</p> <p>h) the premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment; and how to report issues of modern slavery and trafficking;</p> <p>i) the conditions in force under this licence.</p> <p>13. The premises shall have a documented 'Duty of Care' policy for managing intoxicated and vulnerable customers and dealing with incidents of harassment at the premises. The policy shall also include provision for persons refused entry to the premises who are also considered vulnerable by staff.</p> <p>14. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to, a takeaway or delivered meal or to a designated seating area outside the premises unit.</p> | | |
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| | | |
| Conditions proposed by objectors | Agreed | Proposed by |
| <p>15. The premises shall display prominent signage indicating at any point of sale that it is an offence to buy or attempt to buy alcohol for a person under the age of 18.</p> <p>16. The DPS shall continually risk assess the requirement for door supervisors and record decisions made.</p> <p>Amend the following conditions as indicated:</p> <p>From:</p> <ul style="list-style-type: none"> • The consumption of alcohol at the premises shall only be by seated persons. <p>To:</p> <ul style="list-style-type: none"> • The consumption of alcohol at the premises shall only be by seated persons ancillary to a meal. <p>From:</p> <ul style="list-style-type: none"> • Any and all of the following incidents shall be noted including pertinent details and, as appropriate, reported promptly so that investigations can be made and action taken. <p>To:</p> <ul style="list-style-type: none"> • Any and all of the following incidents shall be recorded including pertinent details and, as appropriate, reported promptly so that investigations can be made and action taken. | No | Licensing and Out of Hours |

Schedule of Licence Conditions

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| <p>From:</p> <ul style="list-style-type: none">• Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to, a takeaway or delivered meal or to a designated seating area outside the premises unit. <p>To:</p> <ul style="list-style-type: none">• Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to, a takeaway or delivered meal.• All sales of alcohol for consumption off the premises shall be sealed containers only. | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|