



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 29 January 2024

Time: 10.00 am

Venue: Council Antechamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

### **Access to the Council Antechamber**

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

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

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

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**Councillors** – Andrews, Hewitson and Hilal

## Agenda

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**1. Urgent Business**

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

**2. Appeals**

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

**3. Interests**

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

**4. Application for a New Premises Licence - Iceburg, Unit 1&2 San Court, 25-27 Wilmslow Road, Manchester, M14 5TB** 5 - 58

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

**5. Application for a New Premises Licence - Cakebread Street / part of Charlton Place, Cakebread Street, Manchester** 59 - 134

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

## Information about the Committee

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

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

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

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

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

Smoking is not allowed in Council buildings.

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

## Further Information

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

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This agenda was issued on **Friday, 19 January 2024** 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 – 29 January 2024

**Subject:** Iceburg, Unit 1&2 San Court, 25-27 Wilmslow Road, Manchester, M14 5TB - App ref: Premises Licence (new) 294606

**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:** Rusholme

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

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

Equal Opportunities Policy  
Risk Management  
Legal Considerations

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Contact Officers:**

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Position: Technical Licensing Officer  
Telephone: 0161 227 3275  
E-mail: [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)

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

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

## 1. Introduction

- 1.1 On 05/12/2023, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Iceburg, Unit 1&2 San Court, 25-27 Wilmslow Road, Manchester, M14 5TB in the Rusholme 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 Iceburg Manchester Ltd.
- 2.3 The description of the premises given by the applicant is: Café/restaurant covering two floors with seating for 90 customers. No alcohol is provided or consumed on the premises. There are no outside seating or standing areas provided for customers.
- 2.4 **The licensable activities applied for:**

Provision of regulated entertainment (recorded music):  
 Monday to Friday 1pm to midnight  
 Saturday noon to 1am  
 Sunday noon to midnight

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

Provision of late night refreshment:  
 Monday to Friday 11pm to midnight  
 Saturday 11pm to 1am  
 Sunday 11pm to midnight

The provision of late night refreshment will take place indoors.

Opening hours:

Monday to Friday 1pm to midnight

Saturday noon to 1am

Sunday noon to midnight

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

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

2.5 **Activities unsuitable for children**

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

2.6 **Steps to promote the licensing objectives**

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

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

3. **Relevant Representations**

3.1 A total of 1 relevant representation was received in respect of the application (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
<b>Licensing and Out of Hours Compliance</b>	Undermining of all four licensing objectives – Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children From Harm - due to limited conditions and concerns of a lack of	Refuse



	understanding of the Licensing Act 2003.	
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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 5: Special Policy Area***

The premises is located within the following special policy area:

Fallowfield and Wilmslow Road

The effect of the Special Policy is that the Council will refuse applications for a new Premises Licence or Club Premises Certificate, or variation of an existing licence or certificate, whenever it receives relevant representation, unless an applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced. In relation to variations, this includes any variation that seeks to add a licensable activity, increase the capacity/size of a licensed premises, or extend the hours for licensable activities, but will usually exclude minor variations.

***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:

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

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

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

MS2 Effective general management of the premises

MS8 Prevent noise nuisance from the premises

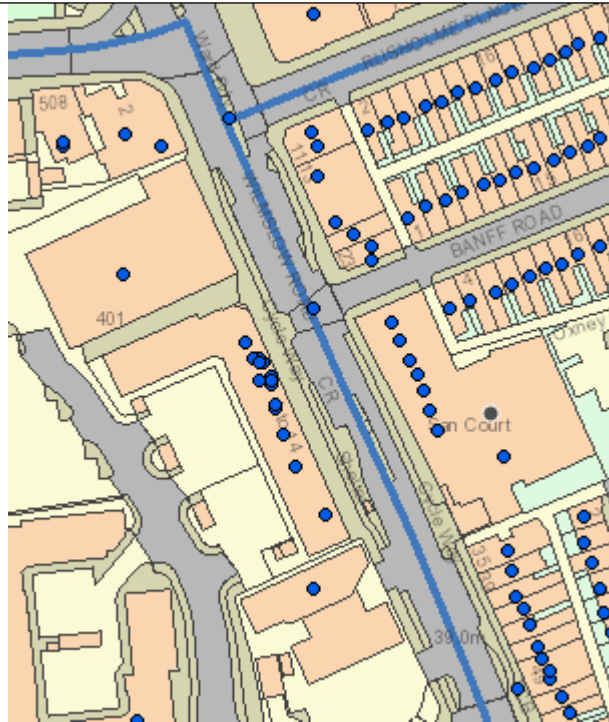
## **5. Conclusion**

- 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.**

Iceburg  
Unit 1&2 San Court, 25-27 Wilmslow Road, Manchester,  
M14 5TB  
Premises Licensing  
Manchester City Council

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<b>PREMISE NAME:</b>	Iceburg
<b>PREMISE ADDRESS:</b>	Unit 1&2 San Court, 25-27 Wilmslow Road, Manchester, M14 5TB
<b>WARD:</b>	Rusholme
<b>HEARING DATE:</b>	29/01/2024

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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 ICEBURG MANCHESTER LTD

*(Insert name(s) of applicant)*

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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description			
PREVIOUS LICENCE LPZ247327 SURRENDERED IN ERROR ON THE 25-07-23.			
UNIT 1&2 SAN COURT 25-27 WILMSLOW ROAD MANCHESTER			
<b>Post town</b>	MANCHESTER	<b>Postcode</b>	M14 5TB
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 74,500	

**Part 2 - Applicant details**

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

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

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

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

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

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



**SECOND INDIVIDUAL APPLICANT** (if applicable)

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

**(B) OTHER APPLICANTS**

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

Name	ICEBURG MANCHESTER LTD
Address	21 BRANTFELL ROAD GREAT HARWOOD BLACKBURN LANCASHIRE BB6 7RJ
Registered number (where applicable)	12308778
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY
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Telephone number (if any)	
E-mail address (optional)	

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
0 1	1 0	2 0 2 3

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

DD	MM	YYYY

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

CAFÉ/RESTAURANT COVERING 2 FLOORS WITH SEATING FOR 90 CUSTOMERS.

NO ALCOHOL IS PROVIDED OR CONSUMED ON THE PREMISES.

THERE ARE NO OUTSIDE SEATING OR STANDING AREAS PROVIDED FOR CUSTOMERS.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)  X
- 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

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

**B**

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

## C

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

**D**

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

## E

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



## F

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	13.00	24.00	<b><u>Please give further details here</u></b> (please read guidance note 4)  LOW NOISE BACKGROUND MUSIC FOR CUSTOMERS WHILST DINING.		
Tue	13.00	24.00			
Wed	13.00	24.00	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)  NONE		
Thur	13.00	24.00			
Fri	13.00	24.00	<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)  NONE		
Sat	12.00	01.00			
Sun	12.00	24.00			

## G

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

**H**

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

## I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	13.00	24.00	<b><u>Please give further details here</u></b> (please read guidance note 4)  SOFT DRINKS, HOT FOOD AND DESSERTS SOLD DURING THE BUSINESS HOURS		
Tue	13.00	24.00			
Wed	13.00	24.00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)  NONE		
Thur	13.00	24.00			
Fri	13.00	24.00	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 6)  NONE		
Sat	12.00	01.00			
Sun	12.00	24.00			

**J**

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

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

<b>Name</b>	
<b>Date of birth</b>	
<b>Address</b>	
<b>Postcode</b>	
<b>Personal licence number (if known)</b>	
<b>Issuing licensing authority (if known)</b>	

**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**

<p><b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)</p>			<p><u>State any seasonal variations</u> (please read guidance note 5)</p> <p>NONE.</p>
Day	Start	Finish	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p> <p>NONE.</p>
Mon	13.00	24.00	
Tue	13.00	24.00	
Wed	13.00	24.00	
Thur	13.00	24.00	
Fri	13.00	24.00	
Sat	12.00	01.00	
Sun	12.00	24.00	

## **M**

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

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

Employing competent additional staff.

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

Ensure staff are adequately trained.

**c) Public safety**

Risk assessments, including fire risk assessment and continual monitoring and improvement.

**d) The prevention of public nuisance**

Installation of CCTV with notices advising of their presence.

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

Staff training on restricted area within the restaurant for customers and children.

## CCTV

- The premises operates a CCTV system that complies with the minimum requirements of the GMP Police Licensing Team.
- The premises licence holder must ensure that:
  - CCTV cameras are located within the premises to cover all public areas including all entrances and exits.
  - The system records clear images permitting the identification of individuals
  - The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days
  - The CCTV system operates at all times while the premises are open for licensable activities
  - All equipment must have a constant and accurate time and date generation
  - The CCTV system is fitted with security functions to prevent recordings being tampered with.
  - 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).

## Preventing noise and other public nuisances

- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
- There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.



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

- I have made or enclosed payment of the fee. I
- have enclosed the plan of the premises.

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

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

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

**Part 4 – Signatures** (please read guidance note 11)

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

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

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

Signature	
Date	
Capacity	

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

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

**Premise Details**

Application Ref No	M/294606
Name of Premises	Iceburg
Address	25-27 Wilmslow Road, Manchester, M14 5TB

**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.

Licensing and Out of Hours (LOH) have assessed the likely impact of the grant of this application taking into account a number of factors, including, the nature of the area in which the premises is located, the hours applied for and any potential risk that the granting of this application could have, taking into account the licensing objectives Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children From Harm.

25-27 Wilmslow Road is a corner premises at the junction of Wilmslow Road and Brooklyn Road. The area is a mix of commercial premises and residential houses and flats. commercial properties.

In this current application the applicant has offered conditions with regard to the licensing condition 'Prevention of Crime and Disorder, that are vague and effectively water down the importance of licence conditions. For example: 'Employing competent additional staff' and 'Staff training on restricted area within the restaurant for customers and children' – these conditions are ambiguous in nature and not clear, precise, or enforceable, as per S1.16 of the S182 guidance. The applicant has provided limited conditions relating to Public Safety, Prevention of Public Nuisance and Protection of Children from Harm.

S7.2 of Manchester City Council's Statement of Licensing Policy states 'In accordance with the section 182 Guidance, when setting out the steps they propose to take to promote the licensing objectives, applicants are expected to obtain sufficient information to enable them to demonstrate that they understand:

- The layout of the local area and physical environment, including crime and disorder hotspots, proximity to residential premises, and proximity to areas where children may congregate
- Any risk posed to the local area by the applicant's proposed licensable activities.

S7.17 of Manchester City Council's Statement of Licensing Policy states Proximity of takeaways and off-licences to nightlife entertainment areas. Such premises typically lack the type of design and management provisions necessary to process the custom of a large intoxicated late-night customer base and may act as flashpoints for alcohol-related crime and disorder. Additionally, there is a risk of staff being subjected to threatening behaviour, physical violence, and property damage. Operators are encouraged to consider conflict management training and/or employment of door supervisors, where appropriate. However, where the authority's discretion is engaged, consideration may be given to restricting hours of operation.

In summary LOH have concerns how the premises will be operated, the applicants understanding of the Licensing Act 2003, the lack of consideration for Manchester City Councils Statement of Licensing policy in particular the sections outlined above and have no confidence that the four licensing objectives will be upheld.

Due to the above concerns and the poor nature of the application LOH recommend that the application be refused.

Recommendation:	Refuse Application
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## Schedule of Licence Conditions

<b>Conditions consistent with the operating schedule</b>	<b>Agreed</b>	<b>Proposed by</b>
<ol style="list-style-type: none"> <li>1. Employing competent additional staff.</li> <li>2. Ensure staff are adequately trained.</li> <li>3. Risk assessments, including fire risk assessment and continual monitoring and improvement.</li> <li>4. Staff training on restricted area within the restaurant for customers and children.</li> <li>5. The premises operates a CCTV system that complies with the minimum requirements of the GMP Police Licensing Team.</li> <li>6. The premises licence holder must ensure that:               <ol style="list-style-type: none"> <li>a. CCTV cameras are located within the premises to cover all public areas including all entrances and exits.</li> <li>b. The system records clear images permitting the identification of individuals.</li> <li>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.</li> <li>d. The CCTV system operates at all times while the premises are open for licensable activities.</li> <li>e. All equipment must have a constant and accurate time and date generation.</li> <li>f. The CCTV system is fitted with security functions to prevent recordings being tampered with.</li> <li>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).</li> </ol> </li> <li>7. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.</li> <li>8. There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.</li> </ol>	N/A	Applicant
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
None	N/A	Licensing and Out of Hours

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 29 January 2024

**Subject:** Cakebread Street / part of Charlton Place, Cakebread Street, Manchester - App ref: Premises Licence (new) 296469

**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:** Ardwick

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

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

Equal Opportunities Policy  
Risk Management  
Legal Considerations

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Contact Officers:**

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

Name: Chloe Tomlinson  
Position: Technical Licensing Officer  
Telephone: 0161 234 4521  
E-mail: [premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)

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

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

## 1. Introduction

- 1.1 On 08/12/2023, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Cakebread Street / part of Charlton Place, Cakebread Street, Manchester in the Ardwick 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 Loft Mcr Limited.
- 2.3 The description of the premises given by the applicant is 'Events space for use on no more than 10 dates per annum, based on Cakebread Street and part of Charlton Place.'
- 2.4 The proposed designated premises supervisor is Oliver Keenan Ryder
- 2.5 **The licensable activities applied for:**

Provision of regulated entertainment (live music, recorded music, performances of dance and anything of a similar description to live music, recorded music or performances of dance):  
Mon to Sun 12pm (midday) to 11pm

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

The supply of alcohol for consumption both on and off the premises:  
Mon to Sun 12pm (midday) to 11pm

Opening hours:

Mon to Sun 12pm (midday) to 11.30pm

Seasonal variations for all of the above:

An extra hour on Sundays and Mondays on a Bank Holiday weekend, and the Thursday preceding Good Friday.

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

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

## 2.6 **Activities unsuitable for children**

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

## 2.7 **Steps to promote the licensing objectives**

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

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

## 3. **Relevant Representations**

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

Responsible Authorities:

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

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	GMP have serious concerns regarding this application being granted due to the risks it poses to persons attending the events from a hostile vehicle point of view. Whilst the application states that the road closures would be managed by a professional road closure company there is nothing within the application to show what measures will	Refuse

	<p>be put in place to mitigate a hostile vehicle being driven at speed along Ardwick Green North and straight onto Cakebread Street, where there would potentially be huge numbers of customers standing, and likewise the same scenario for the Charlton Place end of the closure.</p> <p>There are a number of other businesses on these 2 streets and even if they have been spoken to and stated that they have no issue with the application being granted it may be that this situation changes and one or more businesses may require access to their premises, so this could create issues on the day of the events.</p> <p>Finally, the condition which has been offered in relation to the provision of security staff is very generic and doesn't specify numbers, times, placements etc so it isn't possible to make a considered assessment of whether there will be sufficient security present during the event days</p>	
<p><b>Licensing and Out of Hours Compliance</b></p>	<p>There are numerous residential properties in near proximity to the venue, including high-rise flats in Manchester City Centre, which are situated over the Mancunian Way. These could be affected by noise issues created by the patrons and music from the outdoor venue.</p> <p>After having assessed the application the applicant has made no mention to Martyn's Law and what risk assessments, provisions and plans would be in place if a significant incident was to occur at one of the events.</p> <p>There are no details within the application to show how many patrons will be attending the proposed events and how these numbers will be managed, what security will be in place, how the customers will be dispersed at the end of the night, what welfare provisions there will be and how the disruption caused to local residents will be minimised.</p> <p>The LOOHT also had significant issues with events held in Cakebread Street Carpark, which is also licensed and run by the applicant who is the DPS in 2021. The LOOHT received over 12 complaints from local residents and numerous warnings were given to the DPS regarding the running and operation of the events.</p> <p>The LOOHT received numerous noise complaints as well as Statutory Nuisance's witnessed and</p>	<p>Refuse</p>

	<p>breached at previous Temporary Event Notices (TENs) in the same location, the car park at the end of Cakebread Street. The latest being on 16/07/22 + 17/07/22. The amount of disruption and noise nuisance issues to the local communities and residents were profound.</p> <p>The plans the applicant has provided are very basic and show no details of where toilet facilities will be placed, where bars will be positioned, where the foot flow from patrons will be and how this will be managed and maintained.</p> <p>LOOH also have concerns the applicant has applied for Monday – Sunday 7 days a week from 12:00pm – 23:00pm, the applicant has stated he would only run events when businesses are closed to prevent disruption, however granting this license would allow the applicant to operate in this area during business operating times, which would greatly disrupt local businesses situated in direct proximity to the proposed licensed space.</p>	
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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:

- Identified risk factors specific to the licensed premises
- Consistency with relevant Council strategies
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Ability to clean and maintain the street scene

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

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

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS5 Prevent on-street consumption of alcohol
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS7 Maintain a safe capacity
- MS8 Prevent noise nuisance from the premises
- MS9 Effectively manage exterior spaces (e.g. beer gardens, smoking areas, table and chair areas on the highway)
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

### **Conclusion**



- 4.6 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 4.7 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 4.8 Having regard to the representations, the Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to:
    - i. the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate, and
    - ii. any mandatory conditions that must be included in the licence;
  - b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
  - c) To refuse to specify the person proposed in the application as the designated premises supervisor;
  - d) To reject the application.
- 4.9 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 4.10 All licensing determinations should be considered on the individual merits of the application.
- 4.11 The Panel’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 4.12 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 4.13 **The Panel is asked to determine the application.**

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Cakebread Street / part of Charlton Place  
 Cakebread Street, Manchester  
 Premises Licensing  
 Manchester City Council

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**PREMISE NAME:** Cakebread Street / part of Charlton Place

**PREMISE ADDRESS:** Cakebread Street, Manchester

**WARD:** Ardwick

**HEARING DATE:** 29/01/2024

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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 Loft Mcr 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 <b>Cakebread Street / part of Charlton Place Ardwick</b>			
<b>Post town</b>	Manchester	<b>Postcode</b>	M12

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

### Part 2 - Applicant details

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

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

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

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

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

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

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

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**Second individual applicant** (if applicable)

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

**(B) Other applicants**

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

<b>Name</b> Loft MCR Limited
<b>Address</b>  Reedham House 31 King Street West Manchester M3 2PJ
<b>Registered number (where applicable)</b>  13286963

Description of applicant (for example, partnership, company, unincorporated association etc.)  Private Limited Company
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start? DD MM YYYY

0	1	0	1	2	0	2	4
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If you wish the licence to be valid only for a limited period, when do you want it to end? DD MM YYYY

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<p>Please give a general description of the premises (please read guidance note 1)</p> <p>Events space for use on no more than 10 dates per annum, based on Cakebread Street and part of Charlton Place as depicted on the submitted plan. Dates for 2024 are included in the Operating Schedule attached.</p> <p>Any temporary stage would be erected at the far end of Cakebread Street so as far as possible from any residential areas.</p> <p>Both Charlton Place and Cakebread Street are business areas and are not residential. All businesses have been consulted and as the events will take place outside of normal working hours there have been no issues raised. The Loft Mcr Limited already operate events in both the Progress Centre Car Park and have recently had an Premises Licence granted for The Mews.</p> <p>The events will proceed once Road Closures have been approved and put in place, and a professional Road Closure Company will be employed to manage the road closure and area. Please note that the closure of these roads will not require any diversion of traffic as they are mainly routes to the businesses situated on both Charlton Place and Cakebread Street.</p>
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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)	



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)	X
f)	recorded music (if ticking yes, fill in box F)	X
g)	performances of dance (if ticking yes, fill in box G)	X
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	X

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

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

**A**

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

**B**

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

## C

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

**D**

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

## E

Live music Standard days and timings (please read guidance note 7)			No more than 10 dates per annum.	Indoors	
				Outdoors	x
Day	Start	Finish		Both	
Mon	12:00	23:00	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	12:00	23:00			
Wed	12:00	23:00	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5) An extra hour on Sundays and Mondays on a Bank Holiday weekend, and the Thursday preceding Good Friday.		
Thur	12:00	23:00			
Fri	12:00	23:00	<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	12:00	23:00			
Sun	12:00	23:00			

## F

Recorded music Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3) No more than 10 hours per annum.	Indoors	
Day	Start	Finis h		Outdoors	x
				Both	
Mon	12:00	23:00	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	12:00	23:00			
Wed	12:00	23:00	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5) An extra hour on Sundays and Mondays on a Bank Holiday weekend, and the Thursday preceding Good Friday.		
Thur	12:00	23:00			
Fri	12:00	23:00	<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	12:00	23:00			
Sun	12:00	23:00			

## 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)  No more than 10 dates per annum.	Indoors	
Day	Start	Finish		Outdoors	x
				Both	
Mon	12:00	23:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	12:00	23:00			
Wed	12:00	23:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)  An extra hour on Sundays and Mondays on a Bank Holiday weekend, and the Thursday preceding Good Friday.		
Thur	12:00	23:00			
Fri	12:00	23:00	<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	12:00	23:00			
Sun	12:00	23:00			



## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
Mon	12:00	23:00		Outdoors	x
				Both	
Tue	12:00	23:00	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed	12:00	23:00	No more than 10 dates per annum,		
Thur	12:00	23:00	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5) An extra hour on Sundays and Mondays on a Bank Holiday weekend, and the Thursday preceding Good Friday.		
Fri	12:00	23:00			
Sat	12:00	23:00	<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sun	12:00	23:00			




I

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

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)  No more than 10 dates per annum.	On the premises	
				Off the premises	
Day	Start	Finish		Both	x
Mon	12:00	23:00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5) An extra hour on Sundays and Mondays on a Bank Holiday weekend, and the Thursday preceding Good Friday.		
Tue	12:00	23:00			
Wed	12:00	23:00			
Thur	12:00	23:00			
Fri	12:00	23:00			
Sat	12:00	23:00			
Sun	12:00	23:00			
			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		

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

<b>Name</b>	Oliver Keenan Ryder
<b>Date of birth</b>	
<b>Address</b>	
<b>Postcode</b>	
<b>Personal licence number (if known)</b>	145290
<b>Issuing licensing authority (if known)</b>	Salford

**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).**

Not Applicable

**L**

<p><b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)</p>			<p><b>State any seasonal variations</b> (please read guidance note 5)</p> <p>An extra hour on Sundays and Mondays on a Bank Holiday weekend, and the Thursday preceding Good Friday.</p>
Day	Start	Finish	<p><b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note)</p>
Mon	12:00	23:30	
Tue	12:00	23:30	
Wed	12:00	23:30	
Thur	12:00	23:30	
Fri	12:00	23:30	
Sat	12:00	23:30	
Sun	12:00	23:30	

**M**

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

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

.

Please see attached Operating Schedule.

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

Please see attached Operating Schedule.

**c) Public safety**

Please see attached Operating Schedule.

**d) The prevention of public nuisance**

Please see attached Operating Schedule

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

Please see attached Operating Schedule.

**Checklist:**

**Please tick to indicate agreement**

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

It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

**Part 4 – Signatures** (please read guidance note 11)

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

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in</li> </ul>
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	<p>the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	[REDACTED]
Date	7 <sup>th</sup> December 2023
Capacity	Authorised Agent for the Applicant.

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

Signature	
Date	
Capacity	

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

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



- any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the 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.

## Operating Schedule

## Charlton Place / Cakebread Street – Premises Licence

1. This Premises Licence will be used no more than ten times per annum and all dates will be provided to the Licensing Authority and other Responsible Authorities 4 weeks prior to the event.
2. The Premises Licence will only be used in conjunction with a Section 16A Closure (Road Traffic Regulation Act 1984) covering both Cakebread Street and the part of Charlton Place as highlighted on the attached plan.
3. The Premises Licence holder will ensure the effective and efficient management of the public areas and will strictly manage the number and nature of activities taking place.
4. The Premises Licence holder shall ensure that external event organisers will be issued with an agreement for use of the area and this will include an agreement to adhere to the Conditions attached to the Premises Licence.
5. Unless otherwise agreed, the Premises Licence holder together with the event organiser shall produce an Event Management Plan and a copy of this to be retained at the site. This is to include details of: the overall event safety control; medical and first aid provision; stewarding and security; risk assessment; promotion of responsible drinking; appropriate signage fire safety and control.
6. Whilst the Licensed Premises are being used for regulated entertainment, the event organiser or some other responsible person nominated in writing shall be in charge of and present at the event. Said person shall be responsible for ensuring that all Conditions of the Premises Licence are complied with.
7. The Event Organiser will make adequate provision for monitoring and controlling the number of persons entering the licensed site by way of fencing, security or other provisions to prevent unauthorised access to the licensed site or any part thereof.
8. Arrangements will be put in place to provide necessary information to persons attending the events to include dealing with lost and found property, emergency services and promoting responsible drinking.
9. The event will be ticketed and appropriate information will be provided with the tickets upon purchase.
10. The Event Organiser will appoint a security / stewarding provider. All stewards will be easily identifiable and have appropriate training for their duties. A register will be maintained of all stewards and security staff employed before and during the event containing their full names, dates of birth, employers and where appropriate their SIA registration details. Access

to this information will be facilitated to GMP and an appropriate Officer of the Local Authority.

11. The supply of alcohol under the Premises Licence will be made or authorised by a person who holds a Personal Licence. There will be a Personal Licence holder on duty during all events.
12. The Premises Licence holder will ensure that the Event Organiser shall take all reasonable steps to prevent drunkenness or other disorderly conduct and shall not permit entertainments which are obscene, offensive to public decency or calculated to incite a breach of the peace.
13. A Drug Policy shall be in place for all events and a copy will be forwarded to GMP and the Licensing Authority.
14. The venue and all temporary fittings will be constructed, provided and maintained so as to be in a thoroughly safe condition for purposes.
15. Authorised Officers of the Licensing Authority, Fire Authority, Ambulance and Greater Manchester Police will have free access to the Licensed Premises for the purpose of inspection at all reasonable times.
16. Entrances and exits to the Licensed Premises including temporary structures will be kept clear at all times and will be adequately illuminated during periods of darkness.
17. All electrical installations and equipment will comply with the general requirements of the Electricity at Work Regulations 1989 and with the general provisions of the Event Safety Guide or any replacement guidance. The Event Organiser will employ competent persons to assess the electrical requirements at the event and the compatibility of the electrical supply with the equipment used and take all reasonable measures to ensure so far as is reasonably practicable the safety of all persons at the event.
18. Suitable and sufficient fire fighting provision will be produced and maintained on the Licensed Premises for the duration of each event to the satisfaction of the Fire and Rescue Service.
19. No special effects including lasers, strobe lights, stage pyro, smoke, vapor or fireworks shall be used without the prior approval of the Licensing Authority and the Fire and Rescue Service.
20. No glass containers, glass bottles or cans shall be sold on the Licensed Premises. The Event Organiser shall also take appropriate measures to prevent glass containers, glass bottles or cans being brought into the premises by the public.
21. The Premises Licence holder will take steps to prevent the likelihood of disturbance to local residents and businesses by notifying them of the dates of events in good time, and providing a contact number for the Premises Licence holder should it be required.

22. A Dispersal Policy will be provided to GMP and the Licensing Authority ahead of the first event.
23. The Event Organiser will ensure that all litter is removed from the site in good time following the event. An adequate number of waste receptacles will be provided during the event.
24. Sanitary facilities provided for the events will be removed in good time following the conclusion of the event.
25. The premises will operate a Challenge 21 Policy whereby any persons attempting to buy alcohol and who appears to be under 21 should be asked to produce appropriate ID. The only ID that shall be accepted is a passport; photo driving licence or PASS accredited proof of age card.
26. All staff shall be trained with regards to the Challenge 21 Policy and forms of acceptable ID. Staff shall also be trained to look out for and take action to prevent proxy sales from taking place. This training shall be recorded in writing. The Premises Licence holder must show these training records to GMP or an authorised officer of the Local Authority upon request.
27. Soft drinks and free drinking water will be available as an alternative to alcohol.
28. At each event the sale of alcohol is to cease 30 minutes before the end of regulated entertainment.

**Proposed Dates for 2024.**

<b>30<sup>th</sup> and 31<sup>st</sup> March 2024</b>
<b>25<sup>th</sup> and 26<sup>th</sup> May 2024</b>
<b>22<sup>nd</sup> June 2024</b>
<b>15<sup>th</sup> July 2024</b>
<b>25<sup>th</sup> and 26<sup>th</sup> August 2024</b>

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

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# GREATER MANCHESTER POLICE - REPRESENTATION

## About You

Name	PC Alan Isherwood
Address including postcode	Manchester Town Hall Extension Lloyd Street Manchester M2 5DB
Contact Email Address	alan.isherwood@gmp.police.uk
Contact Telephone Number	0161 856 6017

## About the Premises

Application Reference No.	LPA 296469
Name of the Premises	<b>Cakebread Street/Part of Charlton place</b>
Address of the premises including postcode	<b>Cakebread Street, Manchester</b>

## 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 Public Safety.

This application seeks to licence a public highways for staging events on 10 dates per annum, during which the roads would be closed to public and vehicular access.

Having reviewed the application and consulted with GMP colleagues we have serious concerns regarding this application being granted due to the risks it poses to persons attending the events from a hostile vehicle point of view.

Whilst the application states that the road closures would be managed by a professional road closure company there is nothing within the application to show what measures will be put in place to mitigate a hostile vehicle being driven at speed along Ardwick Green North and straight onto Cakebread Street, where there would potentially be huge numbers of customers standing, and likewise the same scenario for the Charlton Place end of the closure.

Another important issue which has been highlighted is that the application seeks to allow 10 events per year, but it doesn't state which road closure authority will be in place, and this is important as different road closures allow different maximum times on which a road may be closed.

Manchester City Councils own policy states that "You cannot close a road if it is a main commuter route; already being used as a diversion route; or would prohibit access to businesses, emergency services stations or depots or prohibit access to other roads."

There are a number of other businesses on these 2 streets and even if they have been spoken to and stated that they have no issue with the application being granted it may be that this situation changes and one or more businesses may require access to their premises, so this could create issues on the day of the events.

Finally, the condition which has been offered in relation to the provision of security staff is very generic and doesn't specify numbers, times, placements etc so it isn't possible to make a considered assessment of whether there will be sufficient security present during the event days.

Therefore, taking all these things into consideration, we would ask that this application is refused.



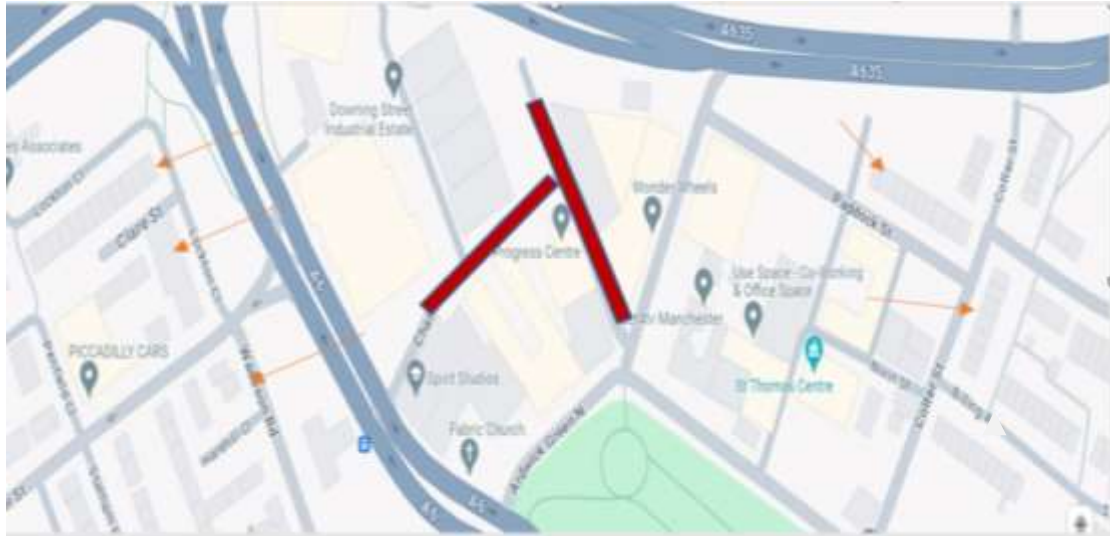
### Licensing & Out of Hours Compliance Team - Representation

Name	Nathan Mistry
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	nathan.mistry@manchester.gov.uk
Telephone Number	0161 227 3147

Premise Details	
Application Ref No	296469
Name of Premises	Cakebread Street / part of Charlton Place
Address	Cakebread Street, Manchester

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>The Licensing and Out of Hours Team (LOOHT) have assessed the likely impact of the granting of this premises license taking into account a number of factors, including style of operation, the nature of the area, hours applied for and any potential risks that the granting of this application could lead to.</p> <p>LOOHT have given particular consideration to Manchester City Council's Statement of Licensing Policy, specifically s.7.25 in that the licensing authority will ensure that due consideration will be given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises; as well as s.7.28 in that the licensing authority will give consideration to the appropriateness of hours applied for, having regard for the location of premises and their likely effect of the promotion of the four Licensing Objectives.</p> <p><b>Proposed hours and licensable activities:</b></p> <p>Provision of regulated entertainment (live music, recorded music, performances of dance and anything of a similar description to live music, recorded music or performances of dance): Mon to Sun 12pm (midday) to 11pm</p> <p>The provision of regulated entertainment (live music, recorded music, performances of dance and anything of a similar description to live music, recorded music or performances of dance) will take place outdoors.</p> <p><b>The supply of alcohol for consumption both on and off the premises: Mon to Sun 12pm (midday) to 11pm</b></p> <p><b>Opening hours: Mon to Sun 12pm (midday) to 11.30pm</b></p>

The location of the site is just off the Mancunian Way, on Cakebread Street. There are numerous residential properties in near proximity to the venue:



Paddock street  
Cotter Street  
Billing Avenue  
Lockton Close  
Wadeson Road  
Clare Street Hanworth Close  
Harehill Close

There are also numerous high-rise flats in Manchester City Centre, which are situated over the Mancunian Way which could be affected by noise issues created by the patrons and music from the outdoor venue.

After having assessed the application the applicant has made no mention to Martyn's Law and what risk assessments, provisions and plans would be in place if a significant incident was to occur at one of the events.

There are no details within the application to show how many patrons will be attending the proposed events and how these numbers will be managed, what security will be in place, how the customers will be dispersed at the end of the night, what welfare provisions there will be and how the disruption caused to local residents will be minimised.

The LOOHT also had significant issues with events held in Cakebread Street Carpark, which is also licensed and run by the applicant who is the Dedicated premises Supervisor (DPS) in 2021. The LOOHT received over 12 complaints from local residents and numerous warnings were given to the DPS regarding the running and operation of the events.

The LOOHT received numerous noise complaints as well as Statutory Nuisance's witnessed and breached at previous Temporary Event Notices (TENs) in the same location, the car park at the end of Cakebread Street. The latest being on 16/07/22 + 17/07/22. The amount of disruption and noise nuisance issues to the local communities and residents were profound.

The plans the applicant has provided are very basic and show no details of where toilet facilities will be placed, where bars will be positioned, where the foot flow from patrons will be and how this will be managed and maintained.

LOOHT also have concerns the applicant has applied for Monday – Sunday 7 days a week from 12:00pm – 23:00pm, the applicant has stated he would only run events when businesses are closed to prevent disruption, however granting this license would allow the applicant to operate in this area during business operating times, which would greatly disrupt local businesses situated in direct proximity to the proposed licensed space.

LOOHT does not support this application because the lack of clarity in the operating schedule and plans, provides no confidence that the licensing objectives will be upheld, and the premises will likely not be able to successfully promote the licensing objectives and will lead to a negative impact on the local community.

LOOHT therefore recommend the application be refused.

Recommendation: Refuse Application

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## Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> <li>1. This Premises Licence will be used no more than ten times per annum and all dates will be provided to the Licensing Authority and other Responsible Authorities 4 weeks prior to the event.</li> <li>2. The Premises Licence will only be used in conjunction with a Section 16A Closure (Road Traffic Regulation Act 1984) covering both Cakebread Street and the part of Charlton Place as highlighted on the attached plan.</li> <li>3. The Premises Licence holder will ensure the effective and efficient management of the public areas and will strictly manage the number and nature of activities taking place.</li> <li>4. The Premises Licence holder shall ensure that external event organisers will be issued with an agreement for use of the area and this will include an agreement to adhere to the Conditions attached to the Premises Licence.</li> <li>5. Unless otherwise agreed, the Premises Licence holder together with the event organiser shall produce an Event Management Plan and a copy of this to be retained at the site. This is to include details of: the overall event safety control; medical and first aid provision; stewarding and security; risk assessment; promotion of responsible drinking; appropriate signage fire safety and control.</li> <li>6. Whilst the Licensed Premises are being used for regulated entertainment, the event organiser or some other responsible person nominated in writing shall be in charge of and present at the event. Said person shall be responsible for ensuring that all Conditions of the Premises Licence are complied with.</li> <li>7. The Event Organiser will make adequate provision for monitoring and controlling the number of persons entering the licensed site by way of fencing, security or other provisions to prevent unauthorised access to the licensed site or any part thereof.</li> <li>8. Arrangements will be put in place to provide necessary information to persons attending the events to include dealing with lost and found property, emergency services and promoting responsible drinking.</li> <li>9. The event will be ticketed and appropriate information will be</li> </ol>	N/A	Applicant

## Schedule of Licence Conditions

<p>provided with the tickets upon purchase.</p> <p>10. The Event Organiser will appoint a security / stewarding provider. All stewards will be easily identifiable and have appropriate training for their duties. A register will be maintained of all stewards and security staff employed before and during the event containing their full names, dates of birth, employers and where appropriate their SIA registration details. Access to this information will be facilitated to GMP and an appropriate Officer of the Local Authority.</p> <p>11. The supply of alcohol under the Premises Licence will be made or authorised by a person who holds a Personal Licence. There will be a Personal Licence holder on duty during all events.</p> <p>12. The Premises Licence holder will ensure that the Event Organiser shall take all reasonable steps to prevent drunkenness or other disorderly conduct and shall not permit entertainments which are obscene, offensive to public decency or calculated to incite a breach of the peace.</p> <p>13. A Drug Policy shall be in place for all events and a copy will be forwarded to GMP and the Licensing Authority.</p> <p>14. The venue and all temporary fittings will be constructed, provided and maintained so as to be in a thoroughly safe condition for purposes.</p> <p>15. Authorised Officers of the Licensing Authority, Fire Authority, Ambulance and Greater Manchester Police will have free access to the Licensed Premises for the purpose of inspection at all reasonable times.</p> <p>16. Entrances and exits to the Licensed Premises including temporary structures will be kept clear at all times and will be adequately illuminated during periods of darkness.</p> <p>17. All electrical installations and equipment will comply with the general requirements of the Electricity at Work Regulations 1989 and with the general provisions of the Event Safety Guide or any replacement guidance. The Event Organiser will employ competent persons to assess the electrical requirements at the event and the compatibility of the electrical supply with the equipment used and take all reasonable measures to ensure so far as is reasonably practicable the safety of all persons at the event.</p>		
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## Schedule of Licence Conditions

<p>18. Suitable and sufficient fire fighting provision will be produced and maintained on the Licensed Premises for the duration of each event to the satisfaction of the Fire and Rescue Service.</p> <p>19. No special effects including lasers, strobe lights, stage pyro, smoke, vapor or fireworks shall be used without the prior approval of the Licensing Authority and the Fire and Rescue Service.</p> <p>20. No glass containers, glass bottles or cans shall be sold on the Licensed Premises. The Event Organiser shall also take appropriate measures to prevent glass containers, glass bottles or cans being brought into the premises by the public.</p> <p>21. The Premises Licence holder will take steps to prevent the likelihood of disturbance to local residents and businesses by notifying them of the dates of events in good time, and providing a contact number for the Premises Licence holder should it be required.</p> <p>22. A Dispersal Policy will be provided to GMP and the Licensing Authority ahead of the first event.</p> <p>23. The Event Organiser will ensure that all litter is removed from the site in good time following the event. An adequate number of waste receptacles will be provided during the event.</p> <p>24. Sanitary facilities provided for the events will be removed in good time following the conclusion of the event.</p> <p>25. The premises will operate a Challenge 21 Policy whereby any persons attempting to buy alcohol and who appears to be under 21 should be asked to produce appropriate ID. The only ID that shall be accepted is a passport; photo driving licence or PASS accredited proof of age card.</p> <p>26. All staff shall be trained with regards to the Challenge 21 Policy and forms of acceptable ID. Staff shall also be trained to look out for and take action to prevent proxy sales from taking place. This training shall be recorded in writing. The Premises Licence holder must show these training records to GMP or an authorised officer of the Local Authority upon request.</p> <p>27. Soft drinks and free drinking water will be available as an alternative to alcohol.</p> <p>28. At each event the sale of alcohol is to cease 30 minutes before</p>		
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## Schedule of Licence Conditions

the end of regulated entertainment.		
<b>Conditions proposed by objectors</b>	<b>Agreed</b>	<b>Proposed by</b>
Not applicable		