



Licensing Sub Committee Hearing **Panel**

Date: Thursday, 4 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

Councillors - Connolly, Andrews and Riasat

Agenda

1. Urgent Business

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

2. Appeals

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

3. Interests

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

4. Application for a New Premises Licence - Insomnia Cookies, 222 Wilmslow Road, Manchester, M14 6LF

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

5. Application for a New Premises Licence - Friendly Shopper, 10 Nigel Road, Manchester, M9 4PD

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

Information about the Committee

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

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

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

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

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

Smoking is not allowed in Council buildings.

Joanne Roney OBE
Chief Executive
Level 3, Town Hall Extension,
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Further Information

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

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This agenda was issued on **Friday, 22 December 2023** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 4 January 2024

Subject: Insomnia Cookies, 222 Wilmslow Road, Manchester, M14 6LF - App ref: Premises Licence (new) 295344

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: Fallowfield

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

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

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy, please contact one of the contact officers above.

- 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 10/11/2023, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Insomnia Cookies, 222 Wilmslow Road, Manchester, M14 6LF in the Fallowfield 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 Insomnia Cookies UK Limited.
- 2.3 The description of the premises given by the applicant is:

'Bakery selling sweet treats including hot drinks and warm cookies for consumption on and off the premises.'

2.4 The licensable activities applied for:

Provision of late-night refreshment:

Sun to Mon 11pm to 1am

Tue to Sat 11pm to 4am

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

Opening hours:

Sun to Mon 10am to 1am

Tue to Sat 10am to 4am

- 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 6 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;

Other Persons:

- Withington Civic Society;
- Fallowfield Community Guardians;
- Residents (x2).

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	<p>GMP have submitted a representation against the application on the grounds of the Licensing Objectives relating to the prevention of crime and disorder and the prevention of public nuisance.</p> <p>Due to the pre-existing/on-going (and very well documented) problems affecting the Wilmslow Road corridor, GMP are satisfied that (should the application be granted) those pre-existing/on-going problems would only be exacerbated by the licensable activities and</p>	Refuse

	<p>operating hours as being applied for for the premises. Granting the licence would, as far as GMP are concerned, only serve to add further to the existing high levels of antisocial behaviour, late-night littering and noise disturbance which, cumulatively, already 'blight' the local and wider Wilmslow Road Corridor area.</p> <p>As a consequence of the above GMP are requesting that the application be refused.</p>	
<p>Licensing and Out of Hours Compliance</p>	<p>LOOH Compliance Team have submitted a representation against the application with regard to all of the Licensing Objectives likely to be negatively impacted upon by the granting of such an application, but with specific regard to the prevention of public nuisance.</p> <p>For reasons as explained in greater depth via the representation document itself, LOOH Compliance Team have expressed severe doubt that the premises, and its staff, would/will be able to correctly enforce and uphold both the Licensing Objectives and those conditions as being offered via the applications 'Operating Schedule' document. It is of specific concern to LOOH Compliance Team that there exists great scope for existing levels of antisocial behaviour, noise disturbance and general litter/waste materials to be noticeably added to should the licence application be granted, which would only serve to add to the existing and on-going issues within the local area that already negatively affect and impact upon local residents.</p> <p>Furthermore, LOOH Compliance Team do not believe that the operating hours as being applied for are appropriate for the locality, in fact they are regarded as being 'excessive', and it is felt that such operating hours would only create additional and unnecessary noise disturbance issues/events at a highly antisocial time of the day.</p> <p>Consequently so, LOOH Compliance Team are, therefore, recommending that the application be refused.</p>	<p>Refuse</p>

<p>Withington Civic Society</p>	<p>Withington Civic Society are objecting to the application on the same grounds as GMP and the LOOH Compliance Team: that the granting of such an application would serve only to add to and further exacerbate those well documented issues of (pre-existing and on-going) antisocial behaviour, noise disturbance and general littering that affect the area along Wilmslow Road in Fallowfield.</p> <p>Although the premises is not alcohol-led at all (the provision of Late-Night Refreshment being the only licensable activity being applied for) it is felt by the complainant that such an establishment, operating to the early trading hours as applied for, would attract inebriated persons (post nearby and wider located alcohol-led premises closing times) and that the likely congregation of such alcohol-affected individuals (both inside and immediately outside of the premises) would quite easily lead on to the generation of antisocial behaviour and noise-nuisance incidents and issues at an unacceptably antisocial time of the day.</p> <p>It is requested by Withington Civic Society that the application, therefore, be rejected.</p>	<p>Refuse</p>
<p>Fallowfield Community Guardians</p>	<p>A further request to refuse the application has been received via the representation submitted by Fallowfield Community Guardians residents group.</p> <p>Citing precisely the same reasons behind their objection to the application as all other Responsible Authorities, Residents Groups and Private Individuals (increased antisocial behaviour, noise nuisance/disturbance, littering, etc.) Fallowfield Community Guardians only perceive a negative outcome to the granting of such an application, for the local area in Fallowfield.</p> <p>It has also been stated by FCG, via their representation, that there is a noticeable 'imbalance' within the local area regarding commercial premises, with an excess of licensed premises within a geographically restricted area. It is felt that this 'imbalance' is the main driver behind the pre-existing/on-</p>	<p>Refuse</p>

	<p>going issues of alcohol induced antisocial behaviour, noise disturbance and general food waste/litter which affects the local area.</p> <p>Taking the above into account Fallowfield Community Guardians perceive little, if any, reason to grant such an application. FCG have stated in their representation that the premises should not be permitted to trade daily beyond 11.00pm/2300hours, which (if so decided) would obviate the need for a Premises Licence at the premises.</p>	
Residents (x2)	<p>Both private residents who have submitted a representation against the application have cited the same reasons for their objection as all other objectors: the likelihood of increased levels/incidents of alcohol induced antisocial behaviour, noise nuisance/disturbance and increased volumes of discarded food waste and associate packaging litter within the local area, should the application be granted.</p> <p>Both persons have requested that the application be refused as they perceive no benefit being provided to the local area, and its residents by permitting such a premises to operate to the trading hours as applied for. It has been stated that local residents already have sufficient adverse issues to deal with (in regard to issues created by the patrons of the existing licensed premises located on their stretch of Wilmslow Road) and that the addition of another premises operating into the early hours would only serve to exacerbate and contribute further to those negative issues.</p> <p>Both private residents have requested that the application be refused.</p>	Refuse

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

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 **New Information**

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

4.3 **Hearsay Evidence**

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

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

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

4.5 **Manchester Statement of Licensing Policy**

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

Section 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:

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- Proximity of takeaways and off-licences to nightlife entertainment areas
- Consistency with relevant Council strategies

- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Ability to clean and maintain the street scene

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

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

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS8 Prevent noise nuisance from the premises
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS11 Ensure the wellbeing of children on the premises

5. Conclusion

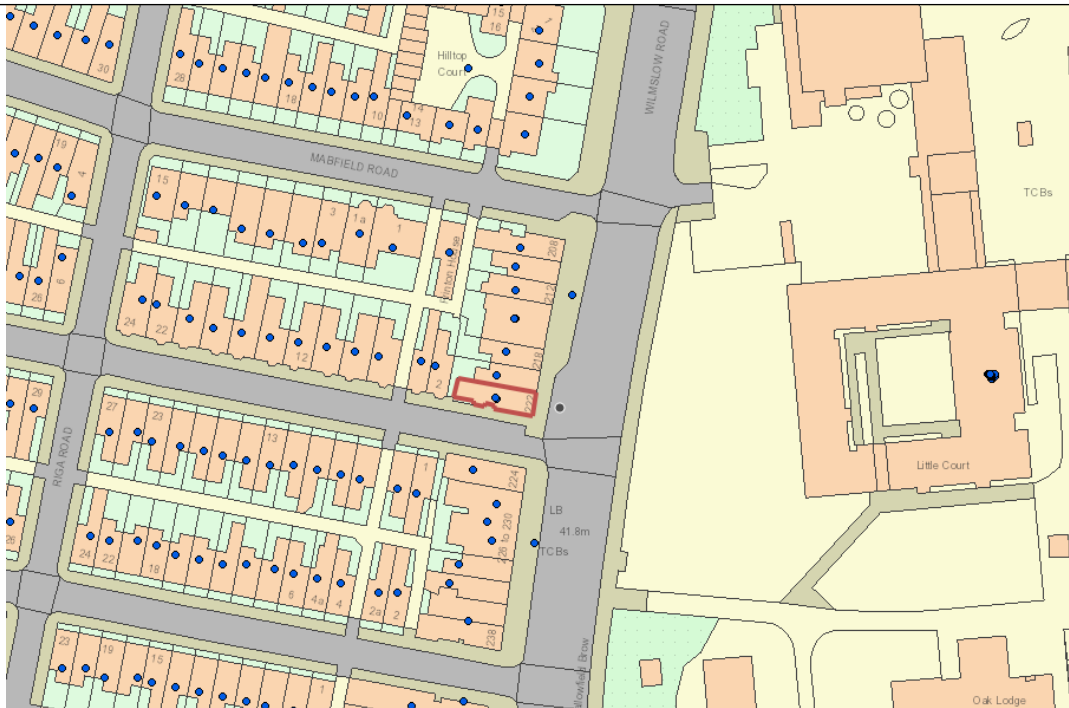
- 5.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 5.2 In considering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

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

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Insomnia Cookies
 222 Wilmslow Road, Manchester, M14 6LF
 Premises Licensing
 Manchester City Council

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PREMISE NAME: Insomnia Cookies

PREMISE ADDRESS: 222 Wilmslow Road, Manchester, M14 6LF

WARD: Fallowfield

HEARING DATE: 04/01/2024

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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.

We Insomnia Cookies UK 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			
Insomnia Cookies 222 Wilmslow Road			
Post town	Manchester	Postcode	M14 6LF
Telephone number at premises (if any)		Not yet known	
Non-domestic rateable value of premises		£15,000	

Part 2 - Applicant details

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

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

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name Insomnia Cookies UK Limited
Address Unit 4 Albany Park, Frimley Road, Camberley, Surrey, United Kingdom, GU16 7PQ
Registered number (where applicable) 14121624
Description of applicant (for example, partnership, company, unincorporated association etc.) Company

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0 7	1 2	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)

Bakery selling sweet treats including hot drinks and warm cookies for consumption on and off the premises.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	X
Mon	23:00 -----	01:00 -----	<u>Please give further details here</u> (please read guidance note 4)		
Tue	23:00 -----	04:00 -----			
Wed	23:00 -----	04:00 -----	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23:00 -----	04:00 -----			
Fri	23:00 -----	04:00 -----	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	23:00 -----	04:00 -----			
Sun	23:00 -----	01:00 -----			

J

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

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

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

K

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

No adult entertainment will take place at the premises.

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p><u>State any seasonal variations</u> (please read guidance note 5)</p>
Day	Start	Finish	
Mon	10:00	01:00	<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>
	-----	-----	
Tue	10:00	04:00	
	-----	-----	
Wed	10:00	04:00	
	-----	-----	
Thur	10:00	04:00	
	-----	-----	
Fri	10:00	04:00	
	-----	-----	
Sat	10:00	04:00	
	-----	-----	
Sun	10:00	01:00	
	-----	-----	

M

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

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

Insomnia Cookies understands that in applying for a Late Night Refreshment Licence between 11pm and 4.00am, we have a duty to the local community and to protect our staff and customers from danger and harm. We believe that the systems we have put in place are robust, thorough and will, as far as reasonably practicable, secure the promotion of the four licensing objectives. It should be noted that we do not sell alcohol and further none of our drinks or food are served to customers in glass receptacles.

Insomnia Cookies will open from 10am to 4.00am Tuesday to Saturday and 10am to 1am Sunday to Monday for the sale of sweet treats. Primarily selling warm cookies and hot drinks, cold drinks and cakes will also be available.

There is a limited amount number of seating and we anticipate a majority of customers will takeaway.

We are eager to work in partnership with all responsible authorities to ensure the promotion of the four licensing objectives. We also seek to work with the local communities, whom we serve, in achieving a successful cohesion between our business operations and our neighbours. We pay every employee more than the real Living Wage, run a cookie donation programme and volunteer in the local community.

Vegan, gluten free and Halal options are available and we use no artificial ingredients.

Insomnia Cookies will sell products on-line but intend to use employed delivery drivers to minimise the risk of nuisance. Where third party delivery services are used, Insomnia Cookies will work with them to ensure they minimise any potential nuisance.

b) The prevention of crime and disorder

CCTV

Insomnia Cookies shall operate a robust CCTV Policy to ensure compliance with Data Protection Legislation and to assist the Police with the prevention and detection of crime. Appropriate signage reflecting this information shall be displayed.

CCTV shall be installed inside the premises and images shall be retained on a cloud based system for 31 days. All CCTV equipment shall be of a standard suitable to record images of a proper quality and meet the industry standard. The CCTV system shall be regularly serviced by qualified maintenance technicians.

Access to the CCTV system shall be provided to Police Officers at their request.

All shift managers have safety and security training and the need for doorstaff shall be risk assessed.

c) Public safety

There shall be safety systems in place to protect the safety of customers and staff at all times. We shall work with the local Environmental Health Office and local Fire Service to ensure we are complying, as far as reasonably practicable, with relevant Health and Safety and Fire Safety Legislation.

All staff shall receive comprehensive safety training to ensure that safe working methods are adopted and all staff shall be trained on the evacuation procedure in the event of a fire or other dangerous occurrence.

The premises shall operate a "No Open Alcohol Containers" policy to prevent persons carrying open alcohol into the in-store area.

d) The prevention of public nuisance*Litter*

Insomnia Cookies is committed to reducing packaging and litter and shall provide a recycling bin and a general waste bin inside the premises and shall pick up litter in the immediate vicinity. All paper bags and napkins are recyclable and sourced sustainably and single use plastic is not used. All packaging is branded.

Noise

The entrance doors are self-closing and customers shall be encouraged to be considerate to our neighbours and to limit noise both when ordering their food and on leaving the local area.

e) The protection of children from harm

Insomnia Cookies do not anticipate that unaccompanied children will use the premises in the extended hours covered by this licence. We do however take their safety extremely seriously and will ensure that they are protected from harm at all times when visiting Insomnia Cookies.

Checklist:

Please tick to indicate agreement

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

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

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

Signature	
Date	
Capacity	

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

Notes for Guidance

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 held by an individual or an individual in a 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 premises 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 an entitlement 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 listed below (which do not need to be certified), or 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).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,

- (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
- (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
- (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

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.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, 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 9-digit 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 (provided within this application), 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 checked online. 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 copy documents as set out above.

Operating Schedule

General/Background

Insomnia Cookies understands that in applying for a Late Night Refreshment Licence between 11pm and 4.00am, we have a duty to the local community and to protect our staff and customers from danger and harm. We believe that the systems we have put in place are robust, thorough and will, as far as reasonably practicable, secure the promotion of the four licensing objectives. It should be noted that we do not sell alcohol and further none of our drinks or food are served to customers in glass receptacles.

Insomnia Cookies will open from 10am to 4.00am Tuesday to Saturday and 10am to 1am Sunday to Monday for the sale of sweet treats. Primarily selling warm cookies and hot drinks, cold drinks and cakes will also be available.

There is a limited amount number of seating and we anticipate a majority of customers will takeaway.

We are eager to work in partnership with all responsible authorities to ensure the promotion of the four licensing objectives. We also seek to work with the local communities, whom we serve, in achieving a successful cohesion between our business operations and our neighbours. We pay every employee more than the real Living Wage, run a cookie donation programme and volunteer in the local community.

Vegan, gluten free and Halal options are available and we use no artificial ingredients.

Insomnia Cookies will sell products on-line but intend to use employed delivery drivers to minimise the risk of nuisance. Where third party delivery services are used, Insomnia Cookies will work with them to ensure they minimise any potential nuisance.

Prevention of Crime and Disorder

CCTV

Insomnia Cookies shall operate a robust CCTV Policy to ensure compliance with Data Protection Legislation and to assist the Police with the prevention and detection of crime. Appropriate signage reflecting this information shall be displayed.

CCTV shall be installed inside the premises and images shall be retained on a cloud based system for 31 days. All CCTV equipment shall be of a standard suitable to record images of a proper quality and meet the industry standard. The CCTV system shall be regularly serviced by qualified maintenance technicians.

Access to the CCTV system shall be provided to Police Officers at their request.

All shift managers have safety and security training and the need for doorstaff shall be risk assessed.

Public Safety

There shall be safety systems in place to protect the safety of customers and staff at all times. We shall work with the local Environmental Health Office and local Fire Service to ensure we are complying, as far as reasonably practicable, with relevant Health and Safety and Fire Safety Legislation.

All staff shall receive comprehensive safety training to ensure that safe working methods are adopted and all staff shall be trained on the evacuation procedure in the event of a fire or other dangerous occurrence.

The premises shall operate a "No Open Alcohol Containers" policy to prevent persons carrying open alcohol into the in-store area.

Public Nuisance

Litter

Insomnia Cookies is committed to reducing packaging and litter and shall provide a recycling bin and a general waste bin inside the premises and shall pick up litter in the immediate vicinity. All paper bags and napkins are recyclable and sourced sustainably and single use plastic is not used. All packaging is branded.

Noise

The entrance doors are self-closing and customers shall be encouraged to be considerate to our neighbours and to limit noise both when ordering their food and on leaving the local area.

The Protection of Children from Harm

Insomnia Cookies do not anticipate that unaccompanied children will use the premises in the extended hours covered by this licence. We do however take their safety extremely seriously and will ensure that they are protected from harm at all times when visiting Insomnia Cookies.

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

Document is Restricted

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GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	PC Alan Isherwood
Address including postcode	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 295344
Name of the Premises	Insomnia Cookies
Address of the premises including postcode	222 Wilmslow Road, Manchester M14 6LF

Your Representation

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

Please accept this as formal notification of the Greater Manchester Police objection to the premises licence variation in relation to the above premises.

The grounds for the objection are the Prevention of Crime and Disorder and the Prevention of Public Nuisance.

The premises are situated on Wilmslow Road, Fallowfield which is one of the main arterial routes into and out of Manchester City centre.

It is in close proximity to residential properties and is also in an area where there are a large number of bars, public houses, off licenses, late night refreshment outlets and one of the largest student populations in Europe.

Specifically, the application is seeking to allow the provision of late night refreshment until 0100 hours on Sunday and Monday and until 0400 hours the rest of the week.

The Wilmslow Road corridor suffers from littering, noise disturbance and other anti-social behaviour and to allow another late night premises in this area is likely to exacerbate these problems and undermine the hard work of the local Neighbourhood Policing Team.

The area where the premises are situated was, until recently, subject to a Cumulative Impact Policy due to the problems in the area, many of which are noise, littering and anti-social behaviour related.

A new Special Policy for Fallowfield has recently been consulted on and will be introduced in the very near future so it shows that there are still serious issues within the area which resulted in the first policy being introduced back in 2013.

GMP are concerned that by allowing this premises to be able to trade into the early hours of the morning will mean that there is yet another focal point for congregation and another source of late night littering, which the area is blighted with.

Greater Manchester Police would therefore ask that the application be refused.



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details

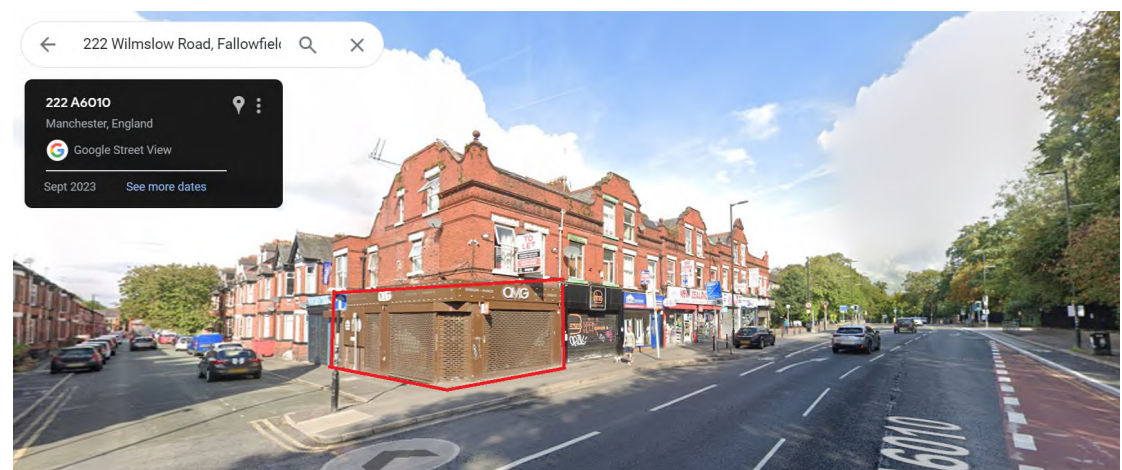
Application Ref No	REF M295344
Name of Premises	Insomnia Cookies
Address	222 Wilmslow Road, Manchester, M14 6LF

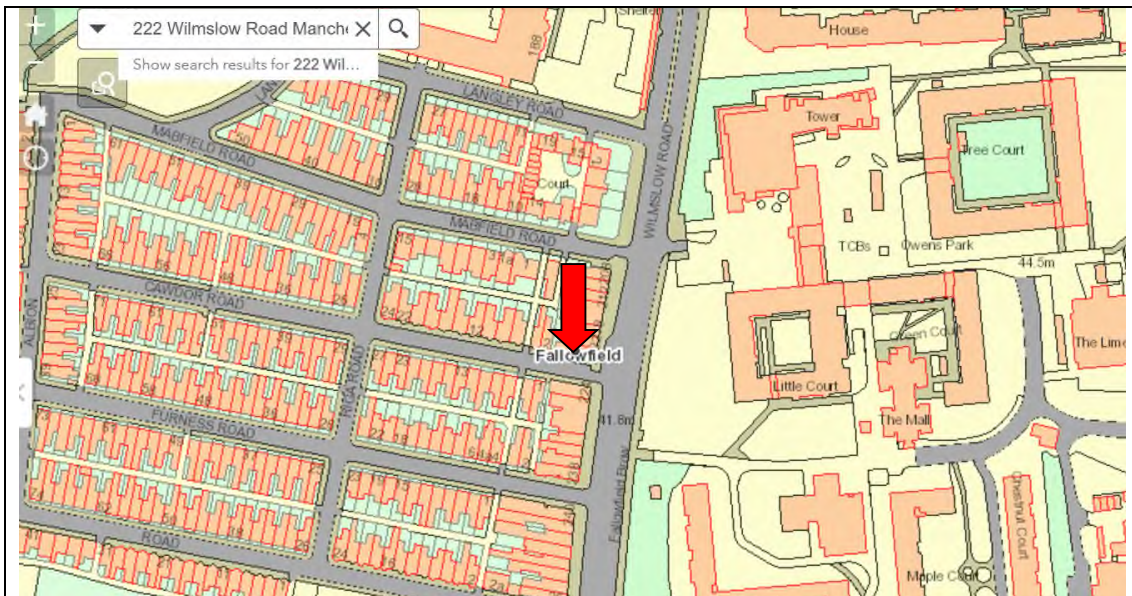
Representation

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

The Licensing and Out of Hours team have assessed the likely impact of granting the new licence to Insomnia Cookies, taking into account a number of factors, and the licensing objectives, having particular regard to the prevention of public nuisance.

The Licensing and Out of Hours (LOOH) team has considered Manchester City Council's Statement of Licensing Policy 2021-2026 with particular reference to sections 7.26, 7.32 and 7.33.





This premises is positioned on the Fallowfield Brow portion of Wilmslow Road. Above and behind the premises are residential properties and opposite is Owen Park student campus. Fallowfield has a significant number of existing food takeaway venues, which has led to the issues associated with street litter and cleansing in the local area. The operating nature of the business and this application proposes nothing that gives any reason why it would not add to pre-existing issues of cumulative impact. It is submitted that granting this application would be likely to worsen the existing issues.

The likelihood is that discarded takeaway food wrappers will be discarded beyond the immediate vicinity of the premises as customer walk home and so the proposed steps in the operating schedule would not be effective. Issues of cleanliness and the ongoing issues with litter are a concern for residents and we have concerns that the grant of this licence would worsen public nuisance issues they experience.

The proposed operating schedule and operating policies lack specificity for the site and does not take into consideration issues specific to this area. As such we have reservation on their likely effectiveness, as a result.

The application states *"We also seek to work with the local communities, whom we serve, in achieving a successful cohesion between our business operations and our neighbours"*. This will not be achievable with the type of premises that fly posts illegally on street furniture in the local area. The picture below is from Fallowfield town centre, and this poster was one of many in the area.



SAO
05/12/2023 10:29:05



SAO
05/12/2023 11:32:03

The hours applied for 11pm and 4.00am Tuesday to Saturday and 11pm to 1am Sunday and Monday appear excessive considering the premises is within a residential area and the nature of the products sold. Even the city centre branches of insomnia cookies do not open this late, closing at 3am at the latest. Noise from people entering and leaving the premises and from people congregating outside the premises as late as 4am is likely to cause disturbance to the residents living above the premises nearby.

Considering Manchester City council's statement of licensing policy 2021-2026 states in section 7.33 " *Later hours will generally be more appropriate within the city centre than other areas due to the developed infrastructure in respect of managing a later night-time economy, such as the comprehensive integrated CCTV network, increased access to public transport, cleansing services, and a more visible enforcement presence.* " 4am is excessive.

Section 7.26 of the statement of licensing policy states
Where premises are in the direct vicinity of local residential properties, and where its

discretion is engaged, the authority will give particular consideration to measures proposed

in the application in relation to prevent nuisance, such as:

- Prevention of noise disturbance from people entering and leaving the premises (eg. queue management, dispersal policy)*
- Prevention of disturbance by people outside the premises (eg. smoking areas)*
- Litter from the premises (This issue is considered particularly relevant in respect of late-night takeaways and smoking-related litter outside licensed premises)*
- Disturbance caused by deliveries associated with licensable activities, including waste collection*

and section 7.32 states, *Therefore, where its discretion is engaged, the authority will be mindful of the density*

of residential use in proximity to the premises and the level of risk of nuisance arising. The authority expects that terminal hours will normally be earlier to promote the licensing objectives for licensed premises located in areas with a higher density of residential property.

The application does little to address potential noise nuisance stating, *“The entrance doors are self-closing and customers shall be encouraged to be considerate to our neighbours and to limit noise both when ordering their food and on leaving the local area.”* Asking staff to encourage loud, difficult, and intoxicated customers to be quiet when they are busy working does not seem achievable. Dealing with groups of loud customers congregating outside the premises as late as 4am will be even more of a challenge and sufficient staff or security personnel will have to be provided manage this.

In relation to staff training the application states *“All shift managers have safety and security training and the need for door staff shall be risk assessed”*. We have concerns that no details of the staff training have been provided as to how it will be delivered, documented or how frequently it will be refreshed. Also no details have been provided of how the requirement for door staff will be assessed, calculated or how this process will be documented and is unenforceable as a licence condition in its current offering. Why limit the staff training to managers? Would it not be best to train all staff as what happens if there is no manager available to work on any given day?

CCTV will need to be made available to all responsible authorities, not just the police, and there should 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.

The application states

“Insomnia Cookies will sell products on-line but intend to use employed delivery drivers to minimise the risk of nuisance. Where third party delivery services are used, Insomnia Cookies will work with them to ensure they minimise any potential nuisance.” This does not detail how they will avoid causing a nuisance and no enforceable conditions or policy have been provided within the application as to how they achieve this. The limited availability of parking outside the premises means that for delivery drivers to park legally they will have to park on residential side streets outside resident’s properties. Noise from delivery drivers waiting, congregating, chatting, engines running, playing music and opening/closing doors

until 4am is likely to cause noise nuisance to the nearby residents.

In relation to protecting children from harm the application states, *Insomnia Cookies do not anticipate that unaccompanied children will use the premises in the extended hours covered by this licence. We do however take their safety extremely seriously and will ensure that they are protected from harm at all times when visiting Insomnia Cookies.*

We do not believe this is sufficient or an enforceable as a licence condition. The products offered for sale by insomnia cookies are the kind that appeal to children and possibly vulnerable adults. As such the premises should have a written policy for Safeguarding Children and vulnerable adults.

In summary, we do not believe the grant of this application is likely to promote the licensing objectives but, conversely, it is likely to add to the problems already existing in this area. Therefore, the application should not be granted.

The screenshot shows the Insomnia Cookies website interface. At the top left is the Insomnia Cookies logo. To its right, a purple banner contains the text "Delivering to" and "Select Address >". Below this, the word "CROSS STREET" is partially visible in large, stylized letters. A placeholder image is shown with the text "placeholder". Below the placeholder is a yellow button labeled "View Menu". To the right of the button, the address "The Royal Exchange, Manchester, , M2 7DH" is displayed, followed by "Open | 0.34 mi". Below the address is the phone number "+44 1619385644 - [Need help?](#)". At the bottom, there are two columns of hours: "Pickup Hours" and "Delivery Hours".

Pickup Hours		Delivery Hours	
Sunday	11:00 AM - 01:00 AM	Sunday	11:00 AM - 01:00 AM
Monday	11:00 AM - 01:00 AM	Monday	5:00 PM - 01:00 AM
Tuesday	11:00 AM - 01:00 AM	Tuesday	5:00 PM - 01:00 AM
Wednesday	11:00 AM - 01:00 AM	Wednesday	5:00 PM - 01:00 AM
Thursday	11:00 AM - 03:00 AM	Thursday	5:00 PM - 03:00 AM
Friday	11:00 AM - 03:00 AM	Friday	5:00 PM - 03:00 AM
Saturday	11:00 AM - 03:00 AM	Saturday	11:00 AM - 03:00 AM


Delivering to
Select Address >



View Menu
Unit 9 University Green, Manchester, , M13
Open | 0.51 mi

+44 1619385630 - [Need help?](#)

Pickup Hours	Delivery Hours
Sunday 10:00 AM - 01:00 AM	Sunday 10:00 AM - 01:00 AM
Monday 10:00 AM - 01:00 AM	Monday 10:00 AM - 01:00 AM
Tuesday 10:00 AM - 03:00 AM	Tuesday 10:00 AM - 01:00 AM
Wednesday 10:00 AM - 01:00 AM	Wednesday 10:00 AM - 01:00 AM
Thursday 10:00 AM - 03:00 AM	Thursday 10:00 AM - 03:00 AM
Friday 10:00 AM - 03:00 AM	Friday 10:00 AM - 03:00 AM
Saturday 10:00 AM - 03:00 AM	Saturday 10:00 AM - 03:00 AM



Testing message on the locations page.

Recommendation: Refuse Application

Premises Licence (new) 295344/BJ1: Insomnia Cookies, 222 Wilmslow Road, Manchester, M14 6LF, (Fallowfield ward)

[REDACTED]

Dear Sirs

Please find attached submission on behalf of Withington Civic Society to the above application

[REDACTED]

Application Type: Premises Licence (new)

Reference: 295344/BJ1

Premises: Insomnia Cookies, 222 Wilmslow Road, Manchester, M14 6LF

Applicant: Insomnia Cookies UK Limited

General description of premises as given by the applicant:

Bakery selling sweet treats including hot drinks and warm cookies for consumption on and off the premises.

Proposed hours and licensable activities:

Provision of late-night refreshment:

Sun to Mon 11pm to 1am

Tue to Sat 11pm to 4am

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

Opening hours:

Sun to Mon 10am to 1am

Tue to Sat 10am to 4am

Response on behalf of Withington Civic Society Planning Group

Withington Civic Society Planning Group **opposes the application.**

We believe, according to research previously carried out by Manchester City Council, that Fallowfield already suffers from the greatest levels of crime (both general and alcohol-related) compared to surrounding areas. Indeed, sadly a student was murdered on Wilmslow Road in October 2022 in the early hours only yards from these premises. The degree of antisocial behaviour recorded in the area is also significantly disproportionate. Antisocial behaviour levels peak during the late night/early morning, and correlate with the closing times of alcohol-led licensed premises.

Complaints from local residents about antisocial behaviour repeatedly cite problems of noise, vandalism and antisocial behaviour from persons going out to and returning from licensed premises, including complaints of preloading and drunkenness. Additionally, there was evidence of litter caused as a result, including discarded alcohol containers and takeaway wrappers in the street. Extra street cleaning services are required in the local area as a result of the disproportionate levels of litter, particularly caused by the high number of late-night takeaways in Fallowfield.

Problems of preloading en- route to licensed premises persist despite the existence of a Designated Public Place Order for Fallowfield.

We would note in particular that:

- The incidence of anti social behaviour in the immediate area causes significant loss of amenity to families and residents, with much on street drinking and late night /all night parties by young people living in HMOs. Such a late night takeaway and fast food premises will lead to the congregation of large numbers of people with all the attendant noise and littering.
- Litter in the area of the relevant premises is already a problem. The very late opening hours will exacerbate this.
- The problems of Fallowfield are working their way into Withington, and we in Withington are very anxious that the situation in Fallowfield should not get any worse.

Whatever steps the applicant may take, the overwhelming probability is that the granting of such a licence as requested by the applicant will only exacerbate the problems associated with such premises which already cause substantial loss of amenity to families and permanent residents as identified above.

Therefore the application should be refused.



For and on behalf of Withington Civic Society Planning Group

Premises Licence (new) 295344/BJ1: Insomnia Cookies, 222 Wilmslow Road, Manchester, M14 6LF

From: Fallowfield Community Guardians <fallowfieldcgs@gmail.com>

Sent: 06 December 2023 07:54

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

Subject: Premises Licence (new) 295344/BJ1: Insomnia Cookies, 222 Wilmslow Road, Manchester, M14 6LF

Dear Sirs

We are writing on behalf of Fallowfield & Withington Community Guardians and South East Fallowfield Residents Group. We wish to strongly object to this application for a late night licence to sell hot drinks and cookies until 4am. The Special Policy for Fallowfield gives a presumption against any new late night licences unless there are exceptional circumstances. There's nothing exceptional here. We do not consider the provision of late night hot drinks and cookies will add anything but additional problems to the residents who live in our residential suburb.

Just one year ago a student lost his life in the early hours of a Wednesday morning just metres away from these premises. Stabbed to death as he walked home from a party - the killing that brought terror to Manchester's studentland

<https://www.manchestereveningnews.co.uk/news/greater-manchester-news/stabbed-death-walked-home-party-26902506>

The night economy in Fallowfield contributes to many problems in our neighbourhood . As residents we no longer feel safe doing late night walkabouts. In past years members of our group used to occasionally do a walkabout in Fallowfield District Centre. During these walkabouts we always discovered many breaches of licence conditions as well as witnessing distressing scenes, anti-social behaviour, drug activity, rowdy behaviour and vandalism.

Our neighbourhood needs to become more balanced in many ways including retail provision. There are already in excess of 50 licensed premises in Fallowfield District Centre. Many of these contribute significantly to public nuisance including copious amounts of litter from takeaways and alcohol. Neighbourhood budgets have been cut back so we only have one pedestrian orderly and the task of street cleansing in Fallowfield needs much more than this. Consequently our district centre is awash with takeaway litter and looks neglected and scruffy..Residents in our group do what we can to report issues as well as tending for tree bases and container planters. We get overwhelmed with what we have to put up with.

Whilst the sale of cookies and hot drinks may seem harmless enough, we know that they will help fuel energy levels of late night patrons dispersing from the clubs, pubs and bars in the area. We consider that another late night premise will add to the problems of public nuisance. The very large number of students who tend to be the main users of the night economy here are concentrated in halls of residence on the University campus opposite (with plans in process to add another 2000 to the campus). Thousands more live in the streets near us. Wonkhe statistics report more than 11 000 students living in the M14 6 postcode (<https://wonkhe.com/blogs/the-start-of-term-is-not-just-a->

problem-for-universities/). This concentration makes life here very difficult. We get woken up by their shouting and screaming as they go out (11pm-midnight) and then on return at 2am-4am. We do not want more rubbish, more noise or more late night premises.

We feel the licensing objectives will be undermined if this premises is granted a late night licence. We can see no reason to depart from the Special Licensing Policy.

We ask you to refuse this application. The applicant is able to trade until 11pm without a licence which in our view would be the latest acceptable opening time.

Yours

A black rectangular redaction box covering the signature of the community guardians.

Fallowfield & Withington Community Guardians

A black rectangular redaction box covering the signature of the community guardians.

Premises Licence (new) 295344/BJ1: Insomnia Cookies, 222 Wilmslow Road, Manchester, M14 6LF

From: [REDACTED]

Sent: 07 December 2023 09:14

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

[REDACTED]
[REDACTED]
Subject: Premises Licence (new) 295344/BJ1: Insomnia Cookies, 222 Wilmslow Road, Manchester, M14 6LF

Your Ref: Premises Licence (new) 295344/BJ1: Insomnia Cookies, 222 Wilmslow Road, Manchester, M14 6LF

To whom it may concern;

I am a long-term resident [REDACTED] and I am objecting this application for a late-night licence to sell hot drinks and cookies until 4am.

These premises (Insomnia Cookies, 222 Wilmslow Road, Manchester, M14 6LF, that is) are situated on Wilmslow Road, which is one of the main arterial routes into and out of Manchester City centre.

It is in close proximity to myself [REDACTED] and local residential properties and is also in an area where there is a plethora of bars, public houses & off licenses (in point of fact, in excess of 50 x licensed premises in the Fallowfield District Centre) and one of the largest student populations in Europe.

This application for late-night licence to sell hot drinks and cookies until 4am, is beyond belief. As stated, in the previous statement, the area is awash with off late-night premises. We do not need yet another late-night joint, at all, period (at any opening hour window that is) and no matter what it is.

“Insomnia Cookies” is just yet another feckless outfit, out to exploit the overloaded rafts of transients in the community (the greater percentage being students) which account for 90% of folk in the **“Fallowfield Brow area”** (an area encompassing a canopy of 7 x streets. 5 x streets moving South to North & 2 x streets East to West) and directly behind this establishment.

My comments over the many years have been typed out and voiced. The “Go-Local” store/off licence objection that I read out at the hearing was taken up by an MEN reporter and featured in an article on 02-02-23, with the headline:-

‘Our neighbourhood is now a drunken, drugged up 24-hour party place not fit for humans’

Here’s the link:-

<https://www.manchestereveningnews.co.uk/news/greater-manchester-news/our-neighbourhood-now-drunken-drugged-26141012>

This area [REDACTED] has become one giant noise fest; people to and fro, taxis to and fro, shouting, screeching, hollering, yelling, "music" pumping out ad finitum, from early evening until 6am in the morning.

I've many examples, many videos, many sound recordings of it all.

A cookie purchased at such an establishment, served up to this drunken zombified mass, that totters around the "**Fallowfield Brow area**" with an already super maxed out cocktail of Ketamine, Cocaine & Cannabis, washed down with 7 x pints of cooking lager (consumed in one of the numerous drinking emporiums on "The Brow") onboard, is only going to add fuel to this out-of-control mayhem.

The consumed cookie then, is only fuelling energy levels in this drunken zombified mass and therefore creating an even larger beast, adding to the already overwhelming problems of public nuisance in and around the area and adding additional levels of noise nuisance on the surrounding residential streets [REDACTED], with its shouting, screeching, hollering and yelling and often until 6am in the morning.

The fresh Special Policy for Fallowfield gives a presumption ***against*** any new late-night licences, unless there are exceptional circumstances. Provision of a late-night cookie from this establishment, is not an exception. As already over endorsed in this objection, a late-night hot drink and cookie is only going to add to the already overwhelming suffering to the residents who live in this residential suburb.

I would be very grateful if the good members of the committee, could consider these points,

Yours sincerely,

[REDACTED]
[REDACTED]

Objection to application Insomnia Cookies Ref 295344/BJ1

[REDACTED]
Fri 08/12/2023 18:21

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

You don't often get email from simonapllew1@btinternet.com. [Learn why this is important](#)

Dear Sir/Madame.

Although the sale of cookies and hot drinks may seem fairly innocuous, I firmly believe that the overall impact will be to the area's detriment. Selling the products will help to fuel the energy levels of those late night patrons dispersing not only from the clubs, pubs and bars in the area but also of those returning from similar venues in the city centre. I consider that yet another late night premise will exacerbate the problems of **public nuisance**.

One of the main causes of public nuisance in the area are the very large number of students who tend to be the main users of the night economy in the vicinity who are concentrated in the streets next to the proposed site for Insomnia Cookies which is also directly opposite the halls of residence on the University campus. Indeed Wonkhe statistics report more than 11 000 students living in the M14 6 postcode (<https://wonkhe.com/blogs/the-start-of-term-is-not-just-a-problem-for-universities>)

Sent from my Galaxy

Such a concentration means life for permanent residents in the area is very difficult. Myself and other residents get woken up by their shouting and screaming as they go out (11pm-midnight) and then on return at 2am-4am. Yet another late night food outlet in the area will, I believe inevitably lead to yet more litter and yet another increase noise.

There is also the fact that not all patrons of the late night food outlets are from area, cars [REDACTED] [REDACTED] park and play loud music while eating takeaways, with their occupants throwing their rubbish and leftover food onto the pavement or road.

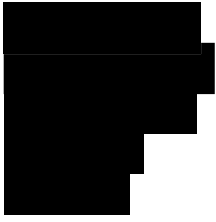
Furthermore the night economy in Fallowfield contributes to significantly more problems than just noise and rubbish strewn along the area known as The Brow, [REDACTED]. As a resident of thirty five years [REDACTED] I no longer feel safe at night venturing more than a few metres beyond my front door. When I did venture along Wilmslow Road and the immediate vicinity of the premises it was the norm to observe many breaches of licence conditions, combined with with recurring scenes of anti-social behaviour; including illegal drug activity, shouting and urinating in the streets and rubbish, including food waste, being persistently discarded [REDACTED].

The locality clearly needs a more balanced retail provision. Currently the area along Wilmslow Road (approximately 150 metres) between Landcross Road and Mabfield Road has nine licensed premises not including the three Off Licences. Additionally there are already in excess of 50 licensed premises in Fallowfield District Centre, many of which contribute significantly to public nuisance including; copious amounts of litter from takeaways and discarded alcohol containers. I have on occasions carried out a litter pick at the Wilmslow Road end [REDACTED], but with no lasting impact. The locality as has the wider area of Fallowfield become not just scruffy but dirty and at times is like living near a rubbish dump.

In the light of the above I feel the current licensing objectives will be undermined if this premises is granted a late night licence. I see absolutely no reason to depart from the Special Licensing Policy.

As a resident I ask you to refuse this application. Given the applicant will be able to trade until 11pm without a licence this, in my view, would be the latest acceptable opening time.

Yours faithfully

A black rectangular redaction box covering the signature and name of the sender.

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

Document is Restricted

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. Insomnia Cookies shall operate a robust CCTV Policy to ensure compliance with Data Protection Legislation and to assist the Police with the prevention and detection of crime. Appropriate signage reflecting this information shall be displayed. 2. Access to the CCTV system shall be provided to Police Officers at their request. 3. All shift managers shall have safety and security training and the need for door staff shall be risk assessed. 4. There shall be safety systems in place to protect the safety of customers and staff at all times. We shall work with the local Environmental Health Office and local Fire Service to ensure we are complying, as far as reasonably practicable, with relevant Health and Safety and Fire Safety Legislation. 5. All staff shall receive comprehensive safety training to ensure that safe working methods are adopted and all staff shall be trained on the evacuation procedure in the event of a fire or other dangerous occurrence. 6. The premises shall operate a "No Open Alcohol Containers" policy to prevent persons carrying open alcohol into the in-store area. 7. Insomnia Cookies is committed to reducing packaging and litter and shall provide a recycling bin and a general waste bin inside the premises and shall pick up litter in the immediate vicinity. All paper bags and napkins shall be recyclable and sourced sustainably and single use plastic shall not be used. All packaging is branded. 8. The entrance doors shall be self-closing and customers shall be encouraged to be considerate to our neighbours and to limit noise both when ordering their food and on leaving the local area. 9. Insomnia Cookies do not anticipate that unaccompanied children shall use the premises in the extended hours covered by this licence. We do however take their safety extremely seriously and shall ensure that they are protected from harm at all times when visiting Insomnia Cookies. 10. Insomnia Cookies shall sell products on-line but intend to use employed delivery drivers to minimise the risk of nuisance. Where third party delivery services are used, Insomnia Cookies shall work with them to ensure they minimise any potential nuisance. 	N/A	Applicant

Schedule of Licence Conditions

Conditions proposed by objectors	Agreed	Proposed by
None	N/A	N/A

WITNESS STATEMENT

(CJ Act 1967. s. 9, MC Act 1980, s.s.5A (3a) and 5B MC Rules 1981, r70)

Statement of: [REDACTED]

Occupation: Licensing and Security Compliance Consultant

Age if under 18: Over 18
(over 18 insert "over 18")

This statement (consisting of 8 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 22nd October 2023

Signature: [REDACTED]

This report has been produced in relation to an investigation pertaining to a Premises Licence application for a late night refreshment licence for Insomnia Cookies at 222 Wilmslow Road, Fallowfield Manchester.

Qualifications and Experience

1. I am an independent licensing consultant and [REDACTED]

[REDACTED]

[REDACTED]

Signature [REDACTED]

4.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9. I am experienced in the production of independent written reports and giving evidence before Licensing Sub-Committees and Magistrates' Courts. It is important to stress that in carrying out

Signature [REDACTED]

this work, I act independently, record what I see and express my own opinions. I am aware that my primary role and duty is to assist the Licensing sub-committee in reaching its decision.

Scope of investigation

10. I have been requested [REDACTED] to conduct an investigation into a proposed licence application for late night refreshment by Insomnia Cookies at 222 Wilmslow Road, Fallowfield, Manchester. The proposed hours would be from 2300-0100 Sunday-Monday and 2300-0400 Tuesday-Saturday. The following terms of reference for the investigation have been agreed with those instructing me.
- (a) As the application falls within the Fallowfield cumulative impact zone what is the current situation in the stress area.
 - (b) How do similar Insomnia Cookie venues operate.
 - (c) What is the likely impact on the Licensing objectives should the application be granted.
 - (d) Attend the areas and conduct observations.
 - (e) Compile a report of my findings.
 - (f) Consider any recommendations that may be necessary to ensure the venue supports the Licensing Objectives.
 - (g) Attend any future licensing hearings to assist the committee in any aspects of my report.
11. In preparation for my visit, and to focus my investigation on the principal matters of concern, I have seen and read the premises licence from the current Insomnia Cookie sites in Manchester and the Manchester City Council cumulative impact policy for Fallowfield. To risk-assess my visit I have also conducted enquiries on the police.uk website. I have also researched the history of 222 Wilmslow Road Fallowfield which was previously a fast-food restaurant with Class E permission.

Police.UK website

12. 222 Wilmslow Road is covered by the Platt Fields policing boundary. I would normally conduct a risk assessment for my visit using the information on this website. There is no crime data on the Police.UK website for any Greater Manchester Police areas (last checked 27th October 2023).


Venue and operators

13. Insomnia Cookies operate two other venues with Late Night Refreshment licences in Manchester. One is in the city centre on Cross Street with the second located in University Gardens. The Cross Street location is a kiosk only with no seating area.
14. I have previously conducted investigations in the Fallowfield area, and I am familiar with the locality and the local licensing policies. In May 2013 I conducted observations in the area in respect of an application for a premises licence for 254 Wilmslow Road on behalf of Papa John's Pizza Company.

Signature [REDACTED]

Friday 20th October 2023

15. My observations in relation to the current investigation commenced at 2030 hours on Friday 20th October 2023 and concluded at 0310 hours the following morning. I recorded my observations into a notes document which I later transferred into a record of observations log for the purpose of this report (exhibit reference letter DJB 1 refers).
16. My observations commenced at the Cross Street site in Manchester City centre. Insomnia Cookies was already open, and I noted that it was a kiosk type shop only with no public seating area. Two members of staff were behind the counter and two customers were being served. One SIA registered security guard wearing a high visibility jacket and licence displayed was present outside the store. This guard was not seen to intervene in any incidents during this period.
17. I then looked around the area for council-controlled CCTV cameras. One such camera was located at the junction of Market Street and Cross Street, which appeared to give a line of sight to the shop frontage. I then looked for any indication of residential properties which may be affected by activities at Insomnia Cookies in the late evenings. The only residents I could identify were those staying at the Motel One approx. 75M away on Cross Street.
18. Also open in the area at this time was TGI Friday's, Royal Exchange Arcade, Vertigo, Sainsbury's, Sandinista, and McDonald's (open 24 hour). Customers entered the shop and left with their products. Home delivery drivers and riders were also observed entering the shop. None of these people appeared intoxicated or caused any issues which the security guard needed to deal with. There were no breaches of the licensing objectives.
19. Nothing noteworthy occurred and at 2220 hours I decided to cease my observations on Cross Street and make my way to the Fallowfield area of Manchester. Still open when I left was Insomnia Cookies, TGI Friday's, Vertigo, Sainsbury's, Sandinista, and McDonald's.
20. At 2250 I arrived in the Fallowfield area which was very busy with customers visiting the local bars, clubs, off licences and fast food take aways. The venue was opposite the pedestrian access to the Fallowfield Campus, and young people were observed entering and exiting via this gate throughout the evening. Approximately 40% of those on Wilmslow Road were in possession of alcohol in cans, bottles and plastic drinks containers. It was clear that students were preloading in the Campus before starting their night out. From the queues to enter the late-night venues and night buses into Manchester it was clear that the majority were just beginning their evening entertainment.
21. Most people were under 22 years of age and 50% were females. Also open in the Fallowfield area at this time were, Go Local, Chesters Chicken, New Zealand Wines, Burger and Co (male sat on pavement outside with a cup containing coins and two cans of cider), Domino's, Owens Park Convenience Store, Mob and Vape, Krunchy Chicken, Handle Bar, Midway Wines, Turkiss Kebab, The Mexican, Kej's, Papa John's, Haus, Studio Bar, 256, Nayaab, Burger Box, YoYo Noodle, Dixy Chicken, Arabian Nites, German Doner, Subway, Fireaway Pizza, Vape Mobile, Side Street Burgers, Nigerian Street Food, Crema Dolce (9 customers), Allen's chicken,

Signature 

Wetherspoons. Nest, Blue Café, Grill House, Abdul's, Atlantic Fish bar, Swanky's, McDonald's, Friendship Inn and Nandos. None of the fast-food venues or off licences engaged door security guards who were only visible on the venues with alcohol licences for consumption on the premises.

22. None of the current outlets had a similar offering to Insomnia Cookie. The nearest similarity was Crema Dolce at 272 Wilmslow Road. No one was seen to use this premises during this visit and it closed, as advertised, at midnight. Occasionally outbreaks of singing occurred and noise from people shouting and vehicle car stereos was heard sporadically throughout the observation period. No public nuisance, public safety or protection of children breaches were noted. The only criminal conduct observed was a possible drug exchange which occurred at 0015 hours in Riga Road, approximately 300m from Wilmslow Road.
23. The area continued to be busy with over 1,000 pedestrians an hour walking past 222 Wilmslow Road (see footfall count, exhibit reference DJB 2 refers). Still open at 0100 hours were, Chesters's chicken, New Zealand wines, Burger and Co, Dominoe, Owens Park, Krunchy fried chicken, Handle bar, Turkish kebab, Kejs, Papa John's, Haus, 256, Arabian nites bar, Dixy chicken, Burger box, Fireclay pizza, German Doner, Vape Mobile, Side Street burger, Allen's chicken, Abduls, Grill house, Blue café and Nest.
24. At 0150 a female is vomiting on the footpath outside E Star Barbers on Wilmslow Road. The bars, off-licences and fast-food venues continued to be busy with fresh customers arriving from the Fallowfield Campus and on night buses from the direction of Manchester City centre every few minutes. Police officers were seen passing through the area on blue light responses, but none were in connection with the Wilmslow Road area where no routine patrolling in vehicles or on foot were observed.
25. The following venues remained open at 0300 and most had large numbers of customers waiting to be served. Chester's Chicken (full, queue out of door), Burger and Co (1 customer), Dominoes (full), Krunchy Chicken (Full, queue to door), Turkish Kebab (full, queue to door), Kej's (10 customers waiting to be served), Allen's (3 customers), Abduls (1 customer), Grill House (no customers), Dixy Chicken (no customers), Burger Box (full, queue to door), and Owens Park convenience store.
26. Outside Owens Park convenience store I noticed a white vehicle with its car stereo playing very loudly. Around this vehicle were several people inhaling laughing gas from balloons. No further noteworthy incidents were noted and at 0310 hours I ceased my observations at 0310.

Saturday 21st October 2023

27. My observations in respect of Insomnia Cookies recommenced at 2000 hours on Saturday 21st October 2023 and concluded at 0310 hours the following morning. I again recorded what I saw and heard into a notes document which I later transferred into the record of observation log (exhibit reference DJB 1 refers) for the purpose of this report.
28. My observations on this evening began in the University green area of Manchester university site where Insomnia Cookies have operated since August 2023. The area was busier than the Cross Street area observed the previous evening with many people visiting the various event

Signature 

sites around the university. Insomnia Cookies was already open, and I noted that no security guard was present. Two female staff were serving two customers on my arrival. The shop was like the Manchester site but had a small number of internal and external seats for customer use. Also open in the immediate area were, Co Op, Brew Dog (external seating for 40 customers), Five Guys and Navarra Lounge (external seating for 28 customers).

29. Patrolling of the area was observed by Police Community Support officers and security staff engaged directly by the university. Customers were observed visiting the shop in person and home deliveries by staff on foot and on pedal cycle. Most customers immediately left the area with their purchases, but a small number took advantage of the internal and external seating areas. No incidents of note or breaches of the licensing objectives were observed and at 2215 hours I ceased my observations to make my way to the Fallowfield area. Still open in University Gardens at this time were Co Op, Brew Dog, Five Guys and Navarro Lounge.
30. I arrived back in the Fallowfield area at 2240 hours and recommenced my observations. The area appeared like my previous evenings visit with the following premises open on my arrival. Go Local, Chesters Chicken, New Zealand Wines, Burger and Co (male sat on pavement outside with a cup containing coins and two cans of cider), Domino's, Owens Park Convenience Store, Mob and Vape, Krunchy Chicken, Handle Bar, Midway Wines, Turkiss Kebab, The Mexican, Kej's, Papa John's, Haus, Studio Bar, 256, Nayaab, Burger Box, YoYo Noodle, Dixy Chicken, Arabian Nites, German Doner, Subway, Fireaway Pizza, Vape Mobile, Side Street Burgers, Nigerian Street Food, Crema Dolce (9 customers), Allen's chicken, Wetherspoons. Nest, Blue Café, Grill House, Abdul's, Atlantic Fish bar, Swanky's, McDonald's, Friendship Inn and Nandos.
31. On this occasion I saw a street drinker/ beggar sat on the footpath outside New Zealand wines with 2 cans of lager and a paper cup with a small number of coins in it. Although the footfall in the area was lower than the previous night it was still very busy, with predominantly students leaving the halls of residence to visit the bars, off licences and fast-food venues. Approximately 30% of those seen were in possession of alcohol. Parties were again seen and heard taking place in the terraced houses off Wilmslow Road. On this occasion customers were observed using Crema Dolce which is the nearest equivalent type of venue to Insomnia Cookies.
32. Routine patrolling of the area was observed during this period of a police officer in a vehicle. Police and ambulance staff were also seen dealing with an incident in the Fallowfield Campus at 0030 and at the rear of the shops on Wilmslow Road at 0138. It was not obvious what the cause of these responses were.
33. No other notable incident occurred and at 0310 I concluded my observations. Still open and very busy were Turkiss (full and queue to door), Krunchy Fried Chicken (full and queue to door), Domino's (8 customers), Owens Park Convenience Store, Burger and Co (3 customers), Chesters (full, queue to door and 30 talking outside), Dixy Chicken (16 customers), Burger Box (15 customers), Side Street Burgers (3 customers), Allen's Chicken (full and queue to door), Grill House (6 customers) and Abdul's (12 customers). New customers would join those already in the area from the halls of residence and arrivals on the all-night bus service from Manchester.

Summary of observations

Signature



34. Fallowfield is a vibrant location predominantly catering to the large student community. I would liken the area to a small town centre than a mixed use main arterial Road. The main sources of crime and nuisance observed was the sporadic outbreak of singing and shouting, and loud music from licensed venues, vehicles passing by and private houses. This noise and vibrancy went beyond Wilmslow Road into the streets of terraced housing adjoining it and into the Fallowfield university campus itself.
35. From these observations it is evident from the amount of alcohol being carried that alcohol is the main driver of noise and nuisance created in the area, which is why the area is deemed suitable for a special saturation policy. In addition to the crime and disorder licensing objective, the Fallowfield saturation policy refers to litter from late night take aways adding to the general state of the area. During this period of observations, I did observe several sporadic outbreaks of noise which I would describe as student boisterous and inconsiderate behaviour as opposed to criminal disorder. I also observed street litter which was mainly created from empty alcohol vessels and bottles rather than litter from fast food take aways. The main problem in relation to fast food litter was that the bins outside the shops did not have sufficient capacity to contain all the packaging. Students were seen to try and put litter into street bins, and it would fall out onto the pavement due to the bin being full.
36. This area of Fallowfield currently has 40 businesses that operate into the late evening and customers all contribute to a greater or lesser impact to the cumulative impact. There are 3 off licences (Go Local, New Zealand Wines and Midway wines), 10 premises licensed for alcohol sales on and off the premises (Handle Bar, Hause, Studio Bar, 256, Arabian Nites, Wetherspoons, Nest, Blue Café, Swanky's, and Friendship Inn), 21 fast food premises (, Chesters Chicken, Burger and Co, Domino's, Krunchy Chicken, Turkiss Kebab, The Mexican, Kej's, Papa John's, Burger Box, YoYo Noodle, Dixy Chicken, German Doner, Subway, Fireaway Pizza, Side Street Burgers, Nigerian Street Food, Allen's chicken, Grill House, Abdul's, Atlantic Fish bar, and McDonald's), 2 restaurants (Nayaab and Nando's), 2 mobile phone/vape shops (vape mobile and mobile/vape) one unlicensed convenience store (Owens Park convenience) and one shakes and desserts shop Crema Dolce).
37. From observing the two Insomnia venues in Cross Street and University Gardens Manchester I can state that none of the current businesses in Fallowfield are similar in offering or management to the Insomnia brand. The customers observed visiting these premises did so in a quiet and responsible manner. They did not seem to appeal to boisterous individuals who were seeking greasy food to soak up excessive alcohol consumption. Most Insomnia customers took their purchases away with them and immediately left the area. The availability of home delivery also meant that customers did not need to visit the shop thereby adding to the numbers in Fallowfield and increasing the risk of being a victim of crime or adding to the anti-social behaviour.
38. No littering was noted outside either of the two venues currently operating. Packaging of the products is minimal, and the company strives to ensure its products are bio degradable.
39. Although there are no equivalent venues currently operating in Fallowfield I would consider Crema Dolce to be the nearest, which is why I make special mention of its operation within my observations and report. Although it closed at Midnight this venues clientele was noticeably different to clientele visiting the alcohol led and fast-food venues in the area. The clientele of Crema Dolce appeared to seek a venue that did not have loud music and alcoholic drinks. They

Signature



entered and left the venue in a responsible manner and did not contribute to the boisterous behaviour exhibited elsewhere in Fallowfield. No litter was noted outside Crema Dolce.


Conclusion

40. From what I observed in my previous investigations and during this current investigation in Fallowfield it is a vibrant area that suffers from sporadic outbreaks of crime and disorder. The large student population brings with it an expectation of a vibrant social scene as well as a learning experience. Businesses have developed and increased in the area to facilitate this experience, as well as being a financially viable proposition. It is right that a saturation policy is in place to control such businesses and to protect non-student residents and the students themselves.
41. The question I seek to answer is should the committee detour from its policy in the case of Insomnia Cookies, and if by doing so would it make the current situation worse. Having visited the two current sites which have operated in Manchester since August 2023 I do not believe that the business model proposed by this applicant would aggravate the current situation. I am informed by those instructing me that neither current venue has created any crime and disorder issues in their current locations; Nor is littering a problem in these locations.
42. Having observed Crema Dolce operating within the Fallowfield saturation policy area without causing or creating any incidents for which the policy has been created I do not believe that the policy is applicable to this type of operation. As Crema Dolce does not engage door staff at their premises, I do not consider that this is a necessary condition to recommend to a similar applicant. However, it may suffice if the committee seek a condition that the need for door staff is risk assessed and employed if such a risk assessment deems it necessary.
43. These conclusions are based on my previous experience as a police licensing inspector, 13 years' experience as a licensing consultant and my prior investigations in the Fallowfield area.


Licensing and Security Consultant

Footfall Count Wilmslow Road Fallowfield (Exhibit reference letter DJB 2 refers)

Date	2330-2345	0030-0045	0130-0145	0230-0245	Total
Friday 20 th October 2023	235	316	292	270	1,113
Saturday 21 st October 2023	307	247	218	142	914

Signature 

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

Document is Restricted

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DRAFT CONDITIONS -Insomnia Cookies, Fallowfield**General**

1. All staff shall receive training in relation to conflict resolution and anti-social behaviour reduction.
2. There shall be no sales of savoury food from the premises.

The Prevention of Crime and Disorder

1. The premises shall install and maintain a comprehensive CCTV system. The CCTV shall continually record whilst the premises is open for licensable activities. All recordings shall be stored or retained for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon request of Police or authorised council officer throughout the entire 31-day period.
2. Access to the CCTV system shall be provided to the Police or Responsible Authorities at their request..
3. An incident log shall be kept at the premises and made available on request to an authorised officer of the Council or the Police. It will record the following:
 - (a) all crimes reported to the venue
 - (b) any complaints received concerning crime and disorder
 - (c) any incidents of disorder
 - (d) any faults in the CCTV system
 - (e) any visit by a relevant authority or emergency service
4. The premises shall operate a "No open alcohol container" policy to prevent persons carrying open alcohol into the in-store area.
5. No glass receptacles shall be served to customers
6. SIA registered door staff shall be employed at the premises in accordance with a written risk assessment to be carried out by the Premises Licence Holder. When employed, door staff will wear high visibility armbands.
7. At least two members of staff shall be present during licensing hours

Public Safety

1. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
2. All staff shall receive comprehensive safety training to ensure safe working methods are adopted , and all staff trained on evacuation procedure in the event of fire of other dangerous occurrence.

Prevention of Public Nuisance

1. There shall be a litter pick each day in the immediate vicinity of the premises of all litter. At the end of each trading day, the pavement from the building line to the kerb

edge immediately outside of the premises shall be cleared of litter which will be sorted in accordance with the approved waste storage arrangements.

2. A recycling bin and a general bin will be provided inside the premises.
3. All packaging will be branded.
4. The entrance doors shall be self-closing. Self-closing doors at the premises shall be maintained in effective working order to limit noise both when ordering food and leaving the area.
5. Prominent, clear notices shall be displayed at the premises, including the entrance and exit, requesting customers to respect the needs of local residents and leave the premises and local area quietly.
6. Staff shall be instructed to respect the needs of local residents including:
 - (i) park their vehicles considerately
 - (ii) using any smoking areas quietly when on a smoking break
 - (iii) leaving the premises quietly at the end of their shift
7. Delivery drivers shall be instructed to respect the needs of local residents including;
 - (i) entering and leaving their vehicles quietly and considerately
 - (ii) not leaving their vehicle engines running
 - (iii) ensuring that no recorded music is being played from the vehicle whilst waiting at the premises
 - (iv) parking their vehicles considerately
8. Staff shall instruct customers not to congregate immediately outside the premises during licensing hours.

Protection of Children from Harm

1. The Premises Licence Holder has a Policy for safeguarding children and vulnerable adults.



COOKIES

cookie

ice chunk 258kcal

chocolate chunk 264kcal

chocolate & macadamia 281kcal

with 183kcal

with m&m's® 351kcal

chocolate chunk 254kcal

double chocolate chunk 243kcal

tree chocolate chunk 241kcal

ag

cookie

chocolate chunk 577kcal

with Biscoff® 563kcal

hazelnut chocolate chunk 584kcal

cookie

ice chunk x 12 720kcal

ice chunk x 24 1400kcal

warmer 4 classics + frosting tub

warmer 12 minis + frosting tub

warmer vanilla 600kcal | cream cheese 592kcal

£2.75

£3.95

£7.95

£13.95

£9.95

£9.95

£1.95

'WICHES

**BUILD
YOUR
OWN**

classic cookie 'wich

2 classic cookies + 2 scoops of ice cream

£5.45

deluxe cookie 'wich

2 deluxe cookies + 3 scoops of ice cream

£6.95

classic big wick

2 classic + frosting filling

£4.95

deluxe big wick

2 deluxe + frosting filling

£6.45



PACKS

MIX AND MATCH
YOUR FLAVOURS

classic 4 pack

£8

classic 6 pack

£12

classic 12 pack

£22

deluxe 4 pack

£12

deluxe 6 pack

£18

2+2 pack 2 classic, 2 deluxe

£10

4+4 pack 4 classic, 4 deluxe

£19



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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 4 January 2024

Subject: Friendly Shopper, 10 Nigel Road, Manchester, M9 4PD - App ref: Premises Licence (new) 295349

Report of: Director of Planning, Building Control & Licensing

Summary

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

Recommendations

That the Panel determine the application.

Wards Affected: Harpurhey

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

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

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Name: Patrick Ware
 Position: Technical Licensing Officer
 Telephone: 0161 234 4858
 E-mail: premises.licensing@manchester.gov.uk

Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy, please contact one of the contact officers above.

- 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 10/11/2023, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Friendly Shopper, 10 Nigel Road, Manchester, M9 4PD in the Harpurhey ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. The Application

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 The applicant is Mukesh Kumar Ltd.
- 2.3 The description of the premises given by the applicant is the ground floor of a two storey end terraced property in a residential area of Manchester.
- 2.4 The proposed designated premises supervisor is Mukesh Kumar.
- 2.5 **The licensable activities applied for:**

The supply of alcohol for consumption off the premises only:

Mon to Sun 6am to 12 midnight

Opening hours:

Mon to Sun 6am to 12 midnight

Following agreement with Licensing Out of Hours, the hours for the sale of alcohol should be as follows:

Monday to Saturday 7am to 11pm, Sunday 8am to 11pm

- 2.5.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800

and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this application.

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

2.6 **Activities unsuitable for children**

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

2.7 **Steps to promote the licensing objectives**

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

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

2.8 **Further documentation accompanying the application**

2.8.1 The applicant has submitted the following documents in support of their application, which are included with the application form at **Appendix 5**:

- Premises Plan

3. **Relevant Representations**

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

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;
- Public Health.

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	Concerns regarding the hours applied for and the consequent potential nuisance to nearby residents.	Grant with amended hours.
Public	Concerns regarding the hours applied for; the affect on children of the increased availability of	Grant with reduced hours

Health	alcohol in the area; the links between alcohol and violent behaviour; and the potential nuisance to neighbouring properties.	and additional conditions (not yet agreed)
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- 3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 4**.
- 3.4 Agreements on conditions have been reached with Licensing Out of Hours.
- 4. Key Policies and Considerations**
- 4.1 Legal Considerations**
- 4.1.1 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.
- 4.2 New Information**
- 4.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.
- 4.3 Hearsay Evidence**
- 4.3.1 The Panel may accept hearsay evidence and it will be a matter for the Panel to attach what weight to it that they consider appropriate. Hearsay evidence is evidence of something that a witness neither saw nor heard, but has heard or read about.
- 4.4 The Secretary of State's Guidance to the Licensing Act 2003**
- 4.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided for all parties involved in licensing. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.
- 4.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.
- 4.4.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.
- 4.5 Manchester Statement of Licensing Policy**

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

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

- Evidence of pre-existing problems in the area

- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance

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

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

MS8 Prevent noise nuisance from the premises

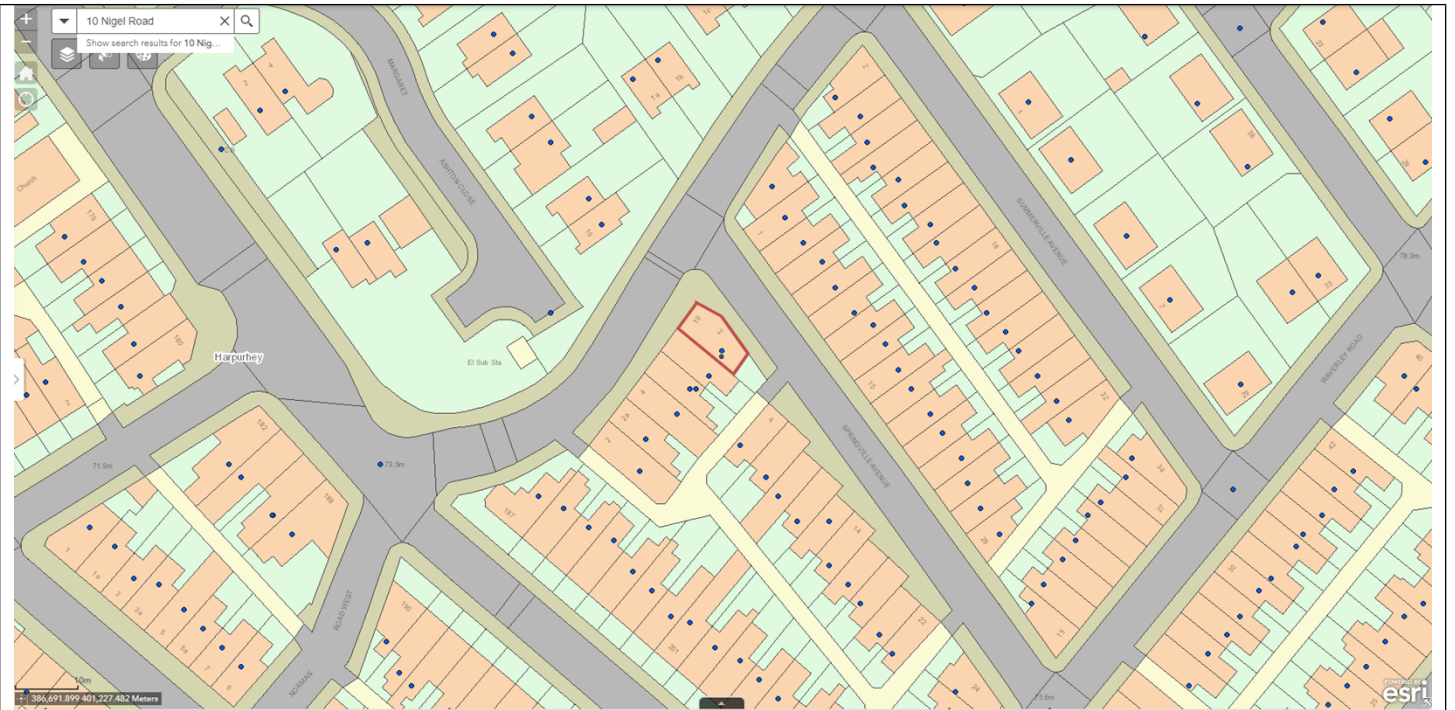
Conclusion

- 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.**

Friendly Shopper
 10 Nigel Road, Manchester, M9 4PD
 Premises Licensing
 Manchester City Council

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PREMISE NAME:	Friendly Shopper
PREMISE ADDRESS:	10 Nigel Road, Manchester, M9 4PD
WARD:	Harpurhey
HEARING DATE:	04/01/2024

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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 Mukesh Kumar 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 10 Nigel Road			
Post town	Manchester	Postcode	M9 1 NA
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£2800	

Part 2 - Applicant details

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

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

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

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

(B) OTHER APPLICANTS

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

Name Mukesh Kumar Ltd
Address 10 Nigel Road Manchester M9 1NA
Registered number (where applicable) 11160817
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) [REDACTED]
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

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

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

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

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

The premise is the ground floor of a two storey end terraced property in a residential area of Manchester. The property has been licenced prior to this application.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	06.00	00.00			
Tue	06.00	00.00			
Wed	06.00	00.00			
Thur	06.00	00.00			
Fri	06.00	00.00			
Sat	06.00	00.00			
Sun	06.00	00.00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

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

Name Mukesh Kumar	
Date of birth [REDACTED]	
Address [REDACTED] [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) 295069	
Issuing licensing authority (if known) Manchester	

□□□□

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).
 NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	06.00	00.00	
Tue	06.00	00.00	
Wed	06.00	00.00	
Thur	06.00	00.00	
Fri	06.00	00.00	
Sat	06.00	00.00	
Sun	06.00	00.00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

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

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

b) The prevention of crime and disorder

The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:

- (a) all crimes reported to the venue, or by the venue to the Police
- (b) all ejections of patrons
- (c) any incidents of disorder
- (d) any faults in the CCTV system
- (e) any visit by a relevant authority or emergency service

The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice.

c) Public safety

d) The prevention of public nuisance

Notices will be displayed asking customers to leave Quietly. Refuse collections will be arranged for no earlier than 8am. Deliveries will not take place between 7pm and 7am.

e) The protection of children from harm

A 'Challenge 25' policy shall be operated on the premises at all times. The policy must require all staff to check the identification of all persons who appear to be less than 25 years of age. The check shall be made by examining either a passport, photographic driving licence or PASS approved proof of age card. These checks must be made for every sale of this nature regardless of previous checks. Challenge 25 posters to be clearly and prominently displayed.

A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within a reasonable time of a request by an officer of a Responsible Authority.

All staff will be trained in the prevention of under age sale. Training records will be kept and made available for inspection. regular training will be put in place.

Checklist:

Please tick to indicate agreement

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

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF

THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	██████████
Date	01/11/2023
Capacity	Agent for applicant

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

Signature	
Date	
Capacity	

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

Notes for Guidance

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

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official

document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-

- evidence of the applicant's own identity – such as a passport,
- evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
- evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

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.

Consent of individual to being specified as premises supervisor

I **Mukesh Kumar**

[full name of prospective premises supervisor]

of

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

[home address of prospective premises supervisor]

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

[type of application]

by

Mukesh Kumar Ltd

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

Friendly Shopper
10 Nigel Road
Manchester
M9 4PD

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

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

Mukesh Kumar Ltd

[name of applicant]

concerning the supply of alcohol at

Friendly Shopper
10 Nigel Road
Manchester
M9 4PD

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

[insert personal licence number, if any]

Personal licence issuing authority

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

Signed

Name (please print) Mukes Kumar

Date

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

Mukesh Kumar Ltd

[name of applicant]

concerning the supply of alcohol at

Friendly Shopper
10 Nigel Road
Manchester
M9 4PD

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

295069

[insert personal licence number, if any]

Personal licence issuing authority

MANCHESTER

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

Signed



Name (please print)

Mukes Kumar

Date

10/11/23

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of the Local Government Act 1972.

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**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

Name	Michael Wilson
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	Michael.wilson@manchester.gov.uk
Telephone Number	0161 227 3148

Premise Details

Application Ref No	295349
Name of Premises	Friendly Shopper
Address	10 Nigel Road, Manchester, M9 4PD

Representation

Licensing and Out of Hours team have assessed the likely impact of the granting of this licence, considering several factors, including the nature of the area in which the premises is located, the hours applied for and any potential risk that the granting of this licence could lead to issues of public nuisance.

The application is for a licence to sell alcohol between the hours of 06:00 am and midnight 7 days a week.

The premises is set on the corner of a row of terrace houses in what is a concentrated area of residential properties in Harpurhey.

The Licensing and out of hours team submits that the hours requested will increase the risk of public nuisance to residents, resulting from customers using this premises to buy alcohol both very early in the morning (6am) and late at night (midnight). There will be potential for noise caused by cars parking and doors slamming outside the front of people's houses as well as general noise from people.

As there are no other premises nearby that are licensed to sell alcohol as an off licence past 23:00 hours, should this local corner shop be licensed to sell alcohol up to midnight it runs a risk of serving the needs of a wider area of people looking to buy alcohol late at night. This would be inappropriate for this premises given its location in the heart of the residential area, and we would have concerns that this would undermine the prevention of public nuisance licensing objective.

Although not opposed to the idea of a licensed premises opening at this location, Licensing and out of hours would propose that the hours for the sale of alcohol should be as follows:

Monday to Saturday 7am to 11pm
Sunday 8am to 11pm

All the other conditions offered within the application are acceptable.

We would be grateful if the committee can consider that the following points from within Manchester City Councils Statement of licensing policy are relevant in this case:

7.32- Therefore, where its discretion is engaged, the authority will be mindful of the density of residential use in proximity to the premises and the level of risk of nuisance arising. The authority expects that terminal hours will normally be earlier to promote the licensing objectives for licensed premises located in areas with a higher density of residential property

7.31- It is recognised that in spite of the quality of the operation of the business, where patrons are out of the control of the licensee, the lateness of the terminal hour for the premises will often be a contributory factor in the potential for disturbance

Recommendation: Approve with Conditions (Outlined Above)

From: Michael Wilson <michael.wilson@manchester.gov.uk>
Sent: 13 December 2023 12:32
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: [REDACTED]
Subject: Re: Friendly shopper licence application (Ref 295349)

Hello Patrick

Licensing and out of hours have reached an agreement with the applicant on the following conditions:

the hours for the sale of alcohol should be as follows:

Monday to Saturday 7am to 11pm

Sunday 8am to 11pm

We are therefore withdrawing our representation

All the other conditions offered within the application are acceptable and we would want these to be retained.

regards
Mike Wilson

Mike Wilson

Neighbourhood officer
Licensing & Out of Hours Compliance
The Neighbourhoods Service
Growth and Neighbourhoods Directorate
Email: michael.wilson@manchester.gov.uk

Tel: 0161 234 1220

Mob: 07966837929

From: [REDACTED] >

Sent: 07 December 2023 15:45

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

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

Subject: RE: Friendly shopper licence application (Ref 295349)

Hi Mike,

I can confirm the hours are accepted. Thanks for your help in this.

Kind regards

[REDACTED]

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

Sent: Sunday, December 3, 2023 9:10 AM

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

Subject: Friendly shopper licence application (Ref 295349)

Hello

Please find attached the rep from Licensing and out of hours.

It is proposed we accept with some changes to the proposed hours for licensable activities.

[REDACTED] - If your client is in agreement I would be grateful if you could email to confirm.

kind regards

Mike

Mike Wilson

Neighbourhood officer

Licensing & Out of Hours Compliance

The Neighbourhoods Service

Growth and Neighbourhoods Directorate

Email: michael.wilson@manchester.gov.uk

Tel: 0161 234 1220

Mob: 07966837929

Department of Public Health - REPRESENTATION

About You

Name	<i>Submitted on behalf of David Regan, (Director Public Health)</i>
Address including postcode	Department of Public Health Manchester City Council Manchester Town Hall Albert Square M60 2LA
Contact Email Address	phregulatory@manchester.gov.uk
Contact Telephone Number	

About the Premises

Application Reference No.	295349/PW5
Name of the Premises	<i>Friendly Shopper</i>
Address of the premises including postcode	10 Nigel Road Harpurhey Manchester M9 4PD

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.

The Department of Public Health, wish to make a representation in relation to the application for a new premise license for [Friendly Shopper, 10 Nigel Road, Manchester, M9 4PD].

The application is for a new premise licence for the supply of alcohol consumption off the premise only: Mon-Sun (6am-12 midnight)

The Department of Public Health recognises the important role that licensed premises play in the local economy and for local residents, however, we feel that the hours applied for the sale of alcohol are excessive given the location of this premise and therefore the application in its current form will undermine the following licensing objectives.

1. **Protection of children from harm**
2. **Prevention of crime and disorder**
3. **Prevention of public nuisance**

1) Protection of children from harm

Research has shown there is a link between the increased availability of alcohol through extended opening hours and increased alcohol consumption. However, the impacts of alcohol consumption in a population are not felt equally across society.

Manchester is ranked the 6th most deprived local authority in England, with Harpurhey being the 2nd most deprived ward in Manchester and therefore experiencing higher than average levels of deprivation in this part of the city when compared to regional and national averages. This means that residents from Harpurhey are more likely to be vulnerable to alcohol-related harms.

Harpurhey has the 2nd highest rate of individuals in treatment for alcohol misuse in the city and by increasing alcohol availability in a ward where there are high rates of residents seeking treatment to support alcohol misuse does not foster a supportive environment to reduce their drinking. Harpurhey is also in the top 10% for hospital admissions for alcohol attributable conditions which suggests that harms from alcohol are experienced at higher need in this ward. The applicant references training for underage sales, but this does not include any training to staff on preventing and dealing with drunkenness and vulnerability.

Alcohol harms extend beyond the individual, and when a child lives with a parent or guardian who misuses alcohol, this is termed an adverse childhood experience. The cumulative impact of this trauma can have long-term consequences for a child's physical and mental health. Therefore, approving a licence that will increase alcohol consumption in the population, and increase the likelihood of adults dependent on alcohol relapsing or consuming more alcohol, will undermine the licensing objective to protect children from harm.

Harpurhey has the 2nd highest population of 0-18 years in the city (33%) compared to Manchester population of 23.2% (mid-2023 from MCC Population Forecasting Model)

Harpurhey has the 3rd highest treatment rate for children under 18 seeking treatment and support for alcohol, despite alcohol being an age restricted product. The applicant has included challenge 25 within the application along with training to prevent underage sales. Proxy sales are one of the ways in which children and young people may be able to access alcohol. Given that the premise is located in a residential area, close to a number of schools and education settings within a mile radius the applicant has failed to consider the inclusion of proxy sales within their training offer in order to ensure the licensing objective protection of children from harm is upheld.

Research conducted in Greater Manchester demonstrates a clear link between increased alcohol consumption in the population and increased incidences of domestic violence. Harpurhey had the 11th highest percentage of alcohol related offences with a domestic violence flag. Witnessing domestic abuse is yet another adverse childhood experience, thus exposing children to an increased risk of domestic violence by allowing the sale of alcohol over a longer operating period undermines the licensing objective to protect children from harm.

2) prevention of crime and disorder

Alcohol and violence are linked. Victims of violent crime perceived the offender or offenders to be under the influence of alcohol in over half of all violent incidents reported in the Crime Survey for England and Wales. The survey also reported 70% of violent incidents that occurred in the evening or night were alcohol related. The proportions of violent incidents that were alcohol-related increased as the afternoon and evening progressed. 23% of violent incidents occurring between noon and 6pm involved alcohol, whereas 52% between 6pm and 10pm, 83% between 10pm and midnight, and 84% between midnight and 6am. Allowing the sale of alcohol for a longer period; particularly after 10pm increases the risk of more violent crime and thus undermines the licensing objective to prevent crime and disorder. Harpurhey had the 4th highest number of offences where alcohol involvement was flagged in the city and 3rd highest number of reported street crimes- antisocial behavior.

3) Prevention of Public nuisance

The Department of Public Health are concerned that this premise is situated in close proximity to residential properties and the longer hours applied for the sale of alcohol have the potential to impact on residents as a result of customers being able to purchase alcohol up until midnight.

The department of Public Health would like the applicant to consider revised suitable times for the sale of alcohol and the model conditions – staff training (alcohol and vulnerability welfare) and preventing and dealing with drunkenness and vulnerability which are available on the council's website [Model Conditions - Staff Training \(alcohol and vulnerability welfare\) and Preventing and Dealing with Drunkenness and Vulnerability | Licensing Act 2003 Model Conditions | Manchester City Council](#)

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of the Local Government Act 1972.

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<ol style="list-style-type: none"> 1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided. 2. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details: <ol style="list-style-type: none"> a. all crimes reported to the venue, or by the venue to the Police b. all ejections of patrons c. any incidents of disorder d. any faults in the CCTV system e. any visit by a relevant authority or emergency service 3. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice. 4. Notices will be displayed asking customers to leave Quietly. Refuge collections will be arranged for no earlier than 8am. Deliveries will not take place between 7pm and 7am. 5. A 'Challenge 25' policy shall be operated on the premises at all times. The policy must require all staff to check the identification of all persons who appear to be less than 25 years of age. The check shall be made by examining either a passport, photographic driving licence or PASS approved proof of age card. These checks must be made for every sale of this nature regardless of previous checks. Challenge 25 posters to be clearly and prominently 	N/A	Applicant

Schedule of Licence Conditions

<p>displayed.</p> <p>6. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within a reasonable time of a request by an officer of a Responsible Authority.</p> <p>7. All staff will be trained in the prevention of underage sale. Training records will be kept and made available for inspection. regular training will be put in place.</p>		
Conditions proposed by objectors	Agreed	Proposed by
None	N/A	N/A

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