



Licensing Sub Committee Hearing Panel

Date: Thursday, 6 December 2018

Time: 10.00 am

Venue: Room 1009, Level 1, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Access to the Town Hall

Public access to the Town Hall Extension is via the entrance on St Peter's Square and Mount Street. Members of the public should report to the security personnel at the entrance.

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Grimshaw (Chair), Barratt and Paul

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 for Northenden Players Theatre Club, Church Road, Manchester, M22 4NN** 5 - 66
- 5. Application for a Variation to Premises Licence for The Deaf Institute, Ground Floor And First Floor, The Deaf Institute, 135 Grosvenor Street, Manchester, M1 7HE**
- 6. Application for a New Premises Licence for TBC, 2nd Floor, Amadeus House, 52-56 George Street, Manchester, M1 4ZZ** 67 - 68
- 7. Application for a New Premises Licence for Dakota Deluxe Hotel, 29 Ducie Street, Manchester, M1 2JL**
- 8. Application for a Variation to Premises Licence for COSMO, Ground Floor, Maybrook House, 40 Blackfriars Street, Manchester, M3 2EG** 69 - 106
- 9. Application for a New Premises Licence for Part 7th Floor XYZ Building, 2 Hardman Boulevard, Manchester, M3 3AQ** 107 - 108

Information about the Committee

The Licensing and Appeals Committee fulfills the functions of the Licensing Authority in relation to the licensing of taxi drivers.

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
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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 **Wednesday, 28 November 2018** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA

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**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 6 December 2018

Subject: Northenden Players Theatre Club, Church Road Library, Church Road, Manchester, M22 4NN - 220947

Report of: Head of Planning, Building Control & Licensing

Summary

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

Recommendations

That the Panel determine the application.

Wards Affected: Northenden

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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Background documents (available for public inspection):

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

1. Introduction

- 1.1. On 08/10/2018, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Northenden Players Theatre Club, Church Road Library, Church Road, Manchester, M22 4NN in the Northenden ward of Manchester. The application was restarted on 22/10/2018 as the applicant had failed to advertise the application. A location map of the premises is attached at Annex 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 Annex 2.
- 2.1. The **applicant** is Northenden Players Theatre Company.
- 2.2. The **description of the premises** by the applicant is a community theatre with foyer bar for audience, performers and supporters. Capacity is 60 plus up to 20 persons supporting in the performance.
- 2.3. The proposed **designated premises supervisor** is Tom Stefan Chinnery
- 2.4. **The licensable activities applied for:**

Provision of regulated entertainment (plays, live music, recorded music):
 Mon to Fri 6:30pm to 11pm, Sat 12 Noon to 11pm, Sun 6pm to 10:30pm

The supply of alcohol for consumption on the premises only:
 Mon to Fri 6:30pm to 11pm, Sat 12 Noon to 11pm, Sun 6pm to 11pm

Opening hours:
 Mon to Fri 5:30pm to 11:30pm, Sat 11am to 11:30pm, Sun 5pm to 11pm

- 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 Annex 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 Annex 4.

3. Relevant Representations

- 3.1. A total of 7 relevant representations were received in respect of the application (Annex 3). The personal details of all members of the public have been redacted. Original copies of these representation will be available to the Panel at the hearing.

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;

Other Persons:

- Residents (x6).

- 3.2. Summary of the representations:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	Prevention of Public Nuisance: Due to the proximity to the premises of residential properties, it is felt that noise nuisance from patrons smoking and drinking outside during performance breaks and from patrons exiting the premises at the end of performances.	Grant with conditions
Residents	Prevention of Public Nuisance: Potential for	Refuse

(x6)	<p>Increased noise nuisance from patrons outside the premises who have consumed alcohol and those exiting the premises after a performance and slamming car doors. There are concerns regarding increased littering.</p> <p>Prevention of Crime and Disorder: Residents expressed a fear that the premises would become a target for vandals and thieves if alcohol were to be stored on the premises.</p>	
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3.3. Any conditions proposed by objectors are set out in the Schedule of Conditions at Annex 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 to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. 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 that an opposed application that complies with the Policy will not necessarily be granted, nor will an opposed application that does not comply with it necessarily be refused.
- 4.5.4. Where there is objection to an operating schedule that departs from the Policy, the Panel hearing an opposed application will normally expect to be given a good reason for the departure if it is to be asked to make an exception to the Policy.
- 4.5.5. The licensing authority will not interfere with an operating schedule that does not comply with the Policy where the steps proposed are sufficient to meet the licensing objectives in the individual circumstances of the case.
- 4.5.6. There are a number of references in the Policy to the licensing authority's expectations of applicants. The licensing authority will not apply the Policy rigidly, but will always have regard to the merits of the case with a view to promoting the licensing objectives.
- 4.5.7. Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy:

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- Proximity of takeaways and licences to nightlife entertainment areas
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Proximity to sensitive uses
- Ability to clean and maintain the street scene

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

This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be appropriate to apply in every situation to every premises, and applicants are not obliged to include all standards in their operating schedule. The degree to which standards would be appropriate is expected to be proportionate to the risk posed against the promotion of the licensing objectives having regard to

the individual circumstances of the premises. The standards are not exhaustive and the licensing authority will have regard to any relevant issues raised in any representation that may fall outside them.

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

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

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

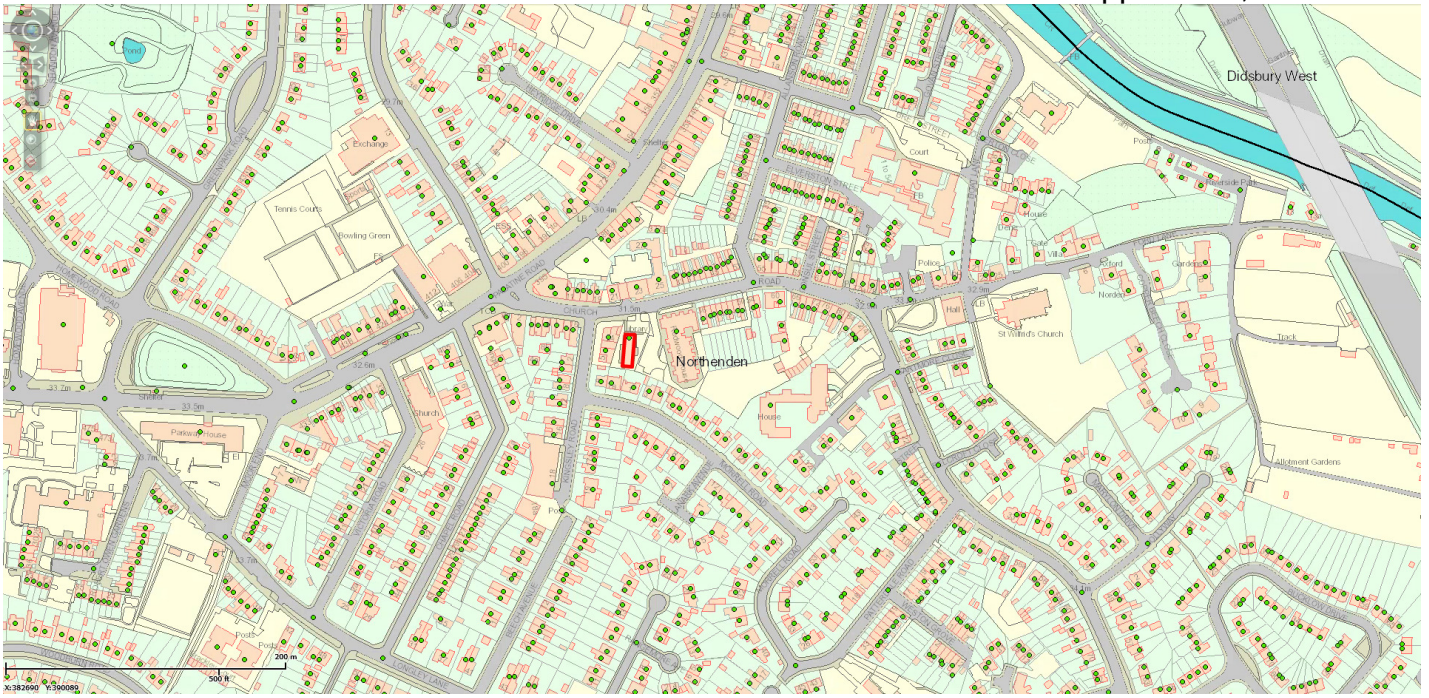
5 Conclusion

- 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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Northenden Players Theatre Club
Church Road, Manchester, M22 4NN



PREMISE NAME: Northenden Players Theatre Club

PREMISE ADDRESS: Church Road Library, Church Road, Manchester, M22 4NN

WARD: Northenden

HEARING DATE: 06/12/2018

**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 Northenden Players Theatre Company

(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 Northenden Players Theatre Club, Church Road, Northenden			
Post town	Manchester	Postcode	M22 4NN
Telephone number at premises (if any)		N/A	
Non-domestic rateable value of premises		£TBC (not available at present)	

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 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 checked="" 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				<input type="checkbox"/> Please tick yes	
I am 18 years old or over					
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		I am 18 years old or over <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 Northenden Players Theatre Club
Address Church Road, Northenden, Manchester, M22 4WL
Registered number (where applicable) 1175846
Description of applicant (for example, partnership, company, unincorporated association etc.) Charitable Incorporated Organisation (CIO)
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
0	9	1	2	2	0	1	8

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)
Community Theatre, which will be performing plays (with some live and recorded music) during the course of the year, including a bar that will sell beverages (including alcoholic) to the audience members immediately before, during, and immediately after the performances. The bar may also sell alcoholic beverages after a rehearsal, but again this will only be to those involved in the production, and not to the general public.

The bar will only be open to those members of the public who are either watching the performance, or part of the performance in some capacity.

The bar will be situated in the foyer of the theatre.

The theatre has a normal capacity of approximately 60 people, with up to (normally) 20 people supporting in the performance.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	18:30	23:00	<u>Please give further details here</u> (please read guidance note 4) Plays (including live and recorded music to support) will be performed throughout the year (a minimum of 6 times). Audience members will not exceed 100 people for each performance. All performances will take place during the times stated.		
Tue	18:30	23:00			
Wed	18:30	23:00	<u>State any seasonal variations for performing plays</u> (please read guidance note 5) No planned seasonal variations		
Thur	18:30	23:00			
Fri	18:30	23:00	<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	12:00	23:00			
Sun	18:00	22:30			

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			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed					
Thur			<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)		
Fri					
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)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	18:30	23:00	Please give further details here (please read guidance note 4) Live music will only be performed in support of a play (with audience numbers not exceeding 100)		
Tue	18:30	23:00			
Wed	18:30	23:00	State any seasonal variations for the performance of live music (please read guidance note 5) No planned seasonal variations		
Thur	18:30	23:00			
Fri	18:30	23:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	12:00	23:00			
Sun	18:00	22:30			

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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	18:30	23:00	<u>Please give further details here</u> (please read guidance note 4) Recorded music will only be performed in support of a play (with audience members not exceeding 100)		
Tue	18:30	23:00			
Wed	18:30	23:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) No planned seasonal variations		
Thur	18:30	23:00			
Fri	18:30	23:00	<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	12:00	23:00			
Sun	18:00	22:30			

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

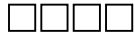
Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5) No planned seasonal variations		
Mon	18:30	23:00			
Tue	18:30	23:00			
Wed	18:30	23:00			
Thur	18:30	23:00			
Fri	18:30	23:00			
Sat	12:00	23:00			
Sun	18:00	23:00			
			<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 6) Alcohol will only be supplied to the public during the times stated.		

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 Tom Stefan Chinnery	
Date of birth 13/05/1982	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) PA0788	
Issuing licensing authority (if known) Trafford MBC	



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).
 Nudity or semi-nudity may form part of some plays. If these are part of any performance, then this will be clearly advertised, and appropriate age restrictions put in place to restrict access to adults only.

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) No seasonal variations planned
Day	Start	Finish	
Mon	17:30	23:30	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)
Tue	17:30	23:30	
Wed	17:30	23:30	
Thur	17:30	23:30	
Fri	17:30	23:30	
Sat	11:00	23:30	
Sun	17:00	23:00	

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

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

The theatre and bar will be manned by volunteers whenever there is an audience due to be in, and a nominated individual will always be the responsible person on site during these times.

b) The prevention of crime and disorder

The theatre and bar will only be open to audience members and those who are taking part in the performance in some way. The bar will not be open to members of the general public, and as such only a limited number of people will ever be allowed entrance.

c) Public safety

Nothing beyond existing Health and Safety / Fire Safety etc requirements

d) The prevention of public nuisance

The theatre and bar will be closed after each performance, and people will not be served alcohol if they are deemed to be under the influence. In all instances the terms of the Leasehold will be adhered to (which includes provisions for mitigating against public nuisance instances).

e) The protection of children from harm

Whenever children are present on site (those deemed to be under the age of 16), they will need to be accompanied by a parent / guardian or responsible adult.

Alcohol will not be served to those who are under the age of 18, and a “Think 25” policy will be in place to ensure only those who are over the age of 18 will be permitted to purchase alcoholic beverages

If a group of children will be using the premises, then there would be a requirement to ensure appropriately approved responsible persons (with necessary DRB checks in place) are present.

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	Andrew Foulkes,
Date	08/10/2018
Capacity	Secretary Northenden Players Theatre Club

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)

Post town		Postcode	
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.

Web reference number 2946280

Have you been nominated as DPS on either: A new premises licence

Has the application nominating you as a DPS been submitted? : No

Full name : Tom Stefan Chinnery

Address including postcode : [REDACTED]

Email : [REDACTED]

Daytime telephone number: [REDACTED]

Name of applicant that has nominated you to be the DPS: Northenden Players Theatre Club

Premises licence number if applicable:

Name and address of the premises : Northenden Players Theatre Club, Church Road, Northenden, Manchester, M22 4WL

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

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

Do you hold a personal licence: Yes

What is your personal licence number?: PA0788

Which local authority (name, address and telephone number) issued the personal licence?: Trafford MBC, Trafford Town Hall, Talbot Road, Stretford, M32 0TH. Phone: 0161 912 4047

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

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

I declare that... : the information provided is true to the best of my knowledge and belief

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

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

Where a statutory declaration has been provided I understand...: it may be forwarded to Greater Manchester Police

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

Licensing & Out of Hours Compliance Team - Representation	
Name	Sion Roberts
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	s.roberts3@manchester.gov.uk
Telephone Number	0161 234 1220

Premise Details	
Application Ref No	REF 220947
Name of Premises	Northenden Players Theatre Club
Address	Church Road, Manchester, M22 4NN

Representation
Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.
<p>Licensing & Out of Hours Compliance Team have assessed the likely impact of the granting of this application taking into account a number of factors, including the nature of the area in which the premises is located and the proximity to residential accommodation, the hours applied for, and any potential risk that the granting of this application could lead to issues of public nuisance.</p> <p>The application is for a Community Theatre, which will be performing plays (with some live and recorded music) during the course of the year, including a bar that will sell beverages (including alcoholic) to the audience members immediately before, during, and immediately after the performances.</p> <p>Proposed hours and licensable activities:</p> <p>Provision of regulated entertainment (plays, live music, recorded music): Mon to Fri 6:30pm to 11pm, Sat 12 Noon to 11pm, Sun 6pm to 10:30pm</p> <p>The supply of alcohol for consumption on the premises only: Mon to Fri 6:30pm to 11pm, Sat 12 Noon to 11pm, Sun 6pm to 11pm</p> <p>Opening hours: Mon to Fri 5:30pm to 11:30pm, Sat 11am to 11:30pm, Sun 5pm to 11pm</p> <p>The premises is positioned on Church Road, just off the main Northenden high street (Palatine Road). The premises is detached former council library single story prefabricated unit. Internally reconfigured to include seating, stage and bar in the reception area. Premises is set in mostly residential setting. Flats exist adjacent on two sides and to the front over church road. Traditional semi-detached residential properties also exist to the rear.</p>

Following discussions with the applicant at a recent site visit, they appear committed to their license objective of the prevention of public nuisance.

However the applicant was in agreement further measures were required in respect to control of noise, in particular from patrons when in the outside area. Either from smoking, taking out refreshments during the scheduled breaks in theatre performance and on departing the theatre at the end of the performance.

Licensing and Out of Hours therefore recommend that in order to uphold the licensing objective in respect to public nuisance, the following conditions are attached to the Premises Licence.

1. All staff associated with the sale of alcohol shall be trained in recognising signs of drunkenness, how to refuse service and the premises duty of care. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 12 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
3. All windows and external doors shall be kept closed at any time when performances takes place, including rehearsals except for the immediate access and egress of persons.
4. Notices shall be prominently displayed at any area used for smoking, requesting patrons to respect the needs of local residents and use the area quietly.
5. Any exterior lighting shall be located and or used in manner as not to cause nuisance to nearby residential properties.
6. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
7. A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents in the vicinity.
8. No drinks to be taken into outside area after 22:00 hours.
9. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
10. No rubbish, including bottles, shall be moved, removed or Placed in bin areas between 22:00 and 08:00 hours.

We believe these conditions are proportionate and necessary to prevent the problems described above.

Recommendation: Approve with Conditions (Outlined Above)



Premises Licensing <premises.licensing@manchester.gov.uk>

Church Road,Nrthenden,m224NN

[Redacted] >
To: premises.licensing@manchester.gov.uk

24 October 2018 at 16:11

I strongly object to a alcohol licence being granted to the above address, [Redacted] over these premises and you can hear every word from the [Redacted] rooms when people are passing especially mostly children use the [Redacted] bedrooms.We are also inundated with parked cars at the front ,so when these players are coming out at 23.00 we will have the pleasure of doors banging.Please don't do this to us,there are lots of bars in Northenden is they want to drink. Yours sincerely [Redacted]

[Redacted]

[Redacted]

From: [REDACTED] <[REDACTED]>
Date: 25 October 2018 at 14:33
Subject: Northenden Players Theatre Club, application to serve alcohol
To: premises.licensing@manchester.gov.uk

I am opposed to Northenden Players Theatre Club to serve, or have alcohol on the premises that they use on Church Road. Even though I am sympathetic to their desire of having a full theatre experience, I fear that the building that they use will be open to thieves and vandals.

This is because of the amount of times the said building was broken into when it was previously a library. This previous building I would have considered a low priority target for such ne'er-do-wells, but by virtually supplying those same people with just the thought of such easy pickings of alcohol the building will be like an attraction to moths to a lighted candle.

For such a hope of being granted a licence to serve alcohol the building would have to be upgraded to a much higher specification to keep those vandals, cheats and thieves out in my estimation.

Please considered these valid thoughts before sweeping these comments under the proverbial carpet.

Best wishes from a resident who can easily view this building from my bedroom window, and who has had many disturbed nights sleep listening to its burglar alarm ringing out.

[REDACTED]
[REDACTED]

Sent from my iPad

From: [REDACTED] <[REDACTED]>
Date: 25 October 2018 at 16:29
Subject: Northenden players Theatre Club
To: premises.licensing@manchester.gov.uk

Please do not agree to the application of Northenden Players Theatre Club to serve alcohol from their premises on Church Road. I understand that the Players wish to help make their patrons have an enjoyable experience, yet I fear that the building is not strong enough to keep out those who illegally wish to break in.

Knowing that this building now has alcohol in it rather than books, I would think that those same perpetrators of the law would have more reason to break into this building than when it housed books.

I live [REDACTED] what was the old library on Church Road, and can see the building from my bedroom window. I have had many a disturbed nights sleep when listening to its burglar alarm.

Please again I ask for this building not to be granted a licence to serve or stock alcohol.

[REDACTED]
[REDACTED]

Sent from my iPhone

From: [REDACTED] <[REDACTED]>
Date: 3 November 2018 at 12:51
Subject: Strong Objection to Northenden Players Theatre Club's Request as a Licensed Premises
To: premises.licensing@manchester.gov.uk
Cc: Councillor Mary T Monaghan <cllr.mary.monaghan@manchester.gov.uk>, [REDACTED]

Dear Sirs;

I live [REDACTED] Northenden Library, which is currently being converted into a small theatre by Northenden Players Theatre Club and have noticed that an application for a Premises Licence for alcohol is being made for alcohol to be served and sold to 11pm.

This is something that I object to in the strongest possible terms.

I feel that if this licence was to be granted, then I, and the neighbourhood, would suffer and wish to highlight several major concerns:-

- ❖ **Noise** Even though the premises is supposed to be insulated for sound people will end up drinking outside, especially in the summer months and the noise level will increase if fuelled by alcohol
- ❖ There would disturbance to myself and other local residents, many elderly as it is situated next to a sheltered housing development
- ❖ **Public Nuisance** There will be alcohol fuelled and anti-social behaviour because of the noise from events held and customers arriving/leaving.
- ❖ **Disturbance of the Peace** Anyone wishing to attend an event and arriving by car would need to park in the residential areas on Kingsley Road and Morrell Road. This in itself will cause significant disturbance.
- ❖ The area is normally very quiet during the late hours of the evening and especially at weekends there are numerous premises serving alcohol already in the village of Northenden itself
- ❖ **Public Nuisance** The arrival and more importantly departure of people and vehicles leaving if allowed to stay open until 11.30pm will cause a significant nuisance and disturbance.
- ❖ I am also very concerned about the potential for damage to property if customers are allowed to leave having drunk significant quantities of alcohol.

❖ The use of Northenden Library (Theatre) as a venue for alcohol fuelled entertainment is not an appropriate one because of the character of the area and the fact it is surrounded on 3 sides by residential property.

❖ It is not suitable for the quantity of proposed attendees and theatre staff even as a theatre never mind as a premises to serve alcohol

❖ The Theatre was not initially intended, or as I was led to believe, to be approved as a 7 day/night a week venue.

❖ **Safety** There will be a greater potential litter nuisance, especially from people drinking etc outside

❖ I have on a couple of occasions already removed youths from loitering at the back of the building and fear that once it is known that alcohol is kept on the premises the risk of a break in will increase.

❖ **Children from Harm** There is a Children's Primary School nearby which holds evening activities and events which may cause increased danger to the safety of the children attending the school due to the increased volume of traffic attending the Theatre, up to 20 theatre staff and around 60 customers (if you saw the ex Library you would wonder how you could fit anything like this many people in , unless they are going to stand and watch any plays!!)

I wish to be kept informed of the development of this application and would also like to attend any further meetings regarding the licencing of alcohol for this venue in order to object in the strongest terms.

Kind Regards

██████████

██████████

From: [REDACTED] <[REDACTED]>
Date: 4 November 2018 at 18:27
Subject: Strong Objection to Northenden Players Theatre Club's Request as a Licensed Premises
To: premises.licensing@manchester.gov.uk

To Whom This May Concern

I live [REDACTED] Northenden Library, which is currently being converted into a small theatre by Northenden Players Theatre Club and have noticed that an application for a Premises Licence for alcohol is being made for alcohol to be served and sold to 11pm.

This is something that I object to in the strongest possible terms.

If this licence was to be granted, then I, and the neighbourhood, would suffer and wish to highlight several major concerns:-

- **Public Nuisance** The arrival and more importantly departure of people and vehicles leaving if allowed to stay open until 11.30pm will cause a significant nuisance and disturbance
- I am also very concerned about the potential for damage to property if customers are allowed to leave having drunk significant quantities of alcohol
- The use of Northenden Library (Theatre) as a venue for alcohol fuelled entertainment is not an appropriate one because of the character of the area and the fact it is surrounded on 3 sides by residential property.
- It is not suitable for the quantity of proposed attendees and theatre staff even as a theatre never mind as a premises to serve alcohol
- The Theatre was not initially intended, or as I was led to believe, to be approved as a 7 day/night a week venue.
- **Safety** There will be a greater potential litter nuisance, especially from people drinking etc outside
- **Children from Harm** My children sleep in the room that overlooks the library and I feel the noise would lead to disturbed night's sleep also the Children's Primary School is nearby and this holds evening activities and events which may cause increased danger to the safety of the children attending the school due to the increased volume of traffic attending the Theatre, up to 20 theatre staff and around 60 customers (if you saw the ex Library you would wonder how you could fit anything like this many people in , unless they are going to stand and watch any plays!!)
- **Noise** Even though the premises is supposed to be insulated for sound people will end up drinking outside, especially in the summer months and the noise level will increase if fuelled by alcohol
- There would disturbance to myself and other local residents, many elderly as it is situated next to a sheltered housing development.
- **Public Nuisance** There will be alcohol fuelled and anti-social behaviour because of the noise from events held and customers arriving/leaving.

➤ **Disturbance of the Peace** Anyone wishing to attend an event and arriving by car would need to park in the residential areas on Kingsley Road and Morrell Road. This in itself will cause significant disturbance.

➤ The area is normally very quiet during the late hours of the evening and especially at weekends. There are numerous premises serving alcohol already in the village of Northenden itself

I would like to be kept informed of the development of this application and would also like to attend any further meetings regarding the licencing of alcohol for this venue in order to object in the strongest terms.

Kind Regards

[REDACTED]

[REDACTED]

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

From: [REDACTED] <[REDACTED]>

Date: 5 November 2018 at 12:44

Subject: Re: Strong Objection to Northenden Players Theatre Club's Request as a Licensed Premises

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

Hi Patrick Ware,

I live at [REDACTED]

[REDACTED]

From: <webfeedback@manchester.gov.uk>

Date: 4 November 2018 at 12:04

Subject: Make representation to a licensing or gambling application

To: premises.licensing@manchester.gov.uk

Question	Response
<i>First name:</i>	[REDACTED]
<i>Last name:</i>	[REDACTED]
<i>Building number or name:</i>	[REDACTED]
<i>Street:</i>	[REDACTED]
<i>Area:</i>	Northenden
<i>Postcode:</i>	[REDACTED]
<i>Email :</i>	[REDACTED]
<i>Application reference number:</i>	[REDACTED]
<i>Premises name (if known) and full address this representation relates to:</i>	Northenden players theatre club Church road Northenden Manchester M22 4nn
<i>Which of the licensing objectives are relevant to your comments on this application: :</i>	The prevention of public nuisance
<i>Please state your comments on this application :</i>	There is only a max of 6 parking spaces at the venue so the nearest Parking is on Kingsley rd. when people are leaving the venue there Will be car door slamming,if people Consume alcohol they are less aware of making noises,

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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 theatre and bar will be manned by volunteers whenever there is an audience due to be in, and a nominated individual will always be the responsible person on site during these times. 2. The theatre and bar will only be open to audience members and those who are taking part in the performance in some way. The bar will not be open to members of the general public, and as such only a limited number of people will ever be allowed entrance. 3. The theatre and bar will be closed after each performance, and people will not be served alcohol if they are deemed to be under the influence. In all instances the terms of the Leasehold will be adhered to (which includes provisions for mitigating against public nuisance instances). 4. Whenever children are present on site (those deemed to be under the age of 16), they will need to be accompanied by a parent / guardian or responsible adult. 5. Alcohol will not be served to those who are under the age of 18, and a "Think 25" policy will be in place to ensure only those who are over the age of 18 will be permitted to purchase alcoholic beverages 6. If a group of children will be using the premises, then there would be a requirement to ensure appropriately approved responsible persons (with necessary DBS checks in place) are present. 	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
<ol style="list-style-type: none"> 7. All staff associated with the sale of alcohol shall be trained in recognising signs of drunkenness, how to refuse service and the premises duty of care. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 12 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council. 8. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance. 9. All windows and external doors shall be kept closed at any time when performances takes place, including rehearsals except for the immediate access and egress of persons. 10. Notices shall be prominently displayed at any area used for smoking, requesting patrons to respect the needs of local residents 	No	Licensing and Out of Hours

Schedule of Licence Conditions

<p>and use the area quietly.</p> <p>11. Any exterior lighting shall be located and or used in manner as not to cause nuisance to nearby residential properties.</p> <p>12. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.</p> <p>13. A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents in the vicinity.</p> <p>14. No drinks to be taken into outside area after 22:00 hours.</p> <p>15. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.</p> <p>16. No rubbish, including bottles, shall be moved, removed or placed in bin areas between 22:00 and 08:00 hours.</p>		
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By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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Licensing Act 2003 (Hearings) Regulations 2005

Reference: 221278
Name: TBC
Address: Second Floor, Amadeus House, 52 George Street,
 Manchester, M1 4HF
Ward: Deansgate
Application Type: Premises Licence (new)
Name of Applicant: IRock Entertainment Limited
Date of application: 15/10/2018

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted

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

Sun to Thu 12noon to 3.00am

Fri to Sat 12noon to 4.00am

Provision of regulated entertainment (recorded music):

Sun to Thu 9am to 3am

Fri to Sat 9am to 4.00am

Provision of late night refreshment:

Sun to Thu 11pm to 3.00am

Fri to Sat 11pm to 4.00am

The supply of alcohol for consumption on the premises only:

Sun to Thu 12noon to 3.00am

Fri to Sat 12noon to 4.00am

Opening hours:

Sun to Thu 9am to 3.30am

Fri to Sat 9am to 4.00am

Representations received	
Greater Manchester Police	Prevention of crime and disorder Prevention of public nuisance Public safety
Licensing & Out of Hours Compliance	Prevention of public nuisance

Agreements between parties

Greater Manchester Police:

- There shall be a minimum of 2 SIA registered door supervisors on duty from 21:00 hours until 30 minutes after closing time at all times the venue is open.
- There shall also be a minimum ratio of 1 SIA registered door supervisor to every 100 customers from 21:00 hours until 30 minutes after closing time at all times the venue is open.
- All door supervisors employed at the venue shall wear high visibility jackets at all times.

Licensing & Out of Hours Compliance:

- There shall be a documented dispersal policy drawn up by the Premises Licence Holder or the Designated Premises Supervisor and implemented at the premises. This policy shall be agreed with the relevant responsible authorities prior to the premises opening for the first time and a copy lodged with the Councils Licensing Unit.
- There shall be a documented smoking policy drawn up by the Premises Licence Holder or the Designated Premises Supervisor and implemented at the premises. This policy shall be agreed with the relevant responsible authorities prior to the premises opening for the first time and a copy lodged with the Councils Licensing Unit.
- Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Original application form
- Representations made against application and respective agreements



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 221288
Name: Dakota Deluxe Hotel
Address: 29 Ducie Street, Manchester, M1 2JL
Ward: Piccadilly
Application Type: Premises Licence (new)
Name of Applicant: Evans Dakota Services Limited
Date of application: 12/10/2018

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted

Provision of regulated entertainment (films):

24 hours each day

(Those who are not hotel residents or their bona fide guests: 8am until 4am daily, seasonal variation at New Year and on the day British Summertime commences)

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

Mon to Sun 8am until 4am each day, seasonal variation at New Year and on the day British Summertime commences

Provision of late night refreshment:

11pm to 5am each day

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

24 hours each day

(Those who are not hotel residents or their bona fide guests: 8am until 4am each day, seasonal variation at New Year and on the day British Summertime commences)

Opening hours:

24 hours each day

Representations received	
Greater Manchester Police	The applicant has offered conditions within the Operating Schedule but the doorstaff condition that is offered needs to be more specific and stronger to best demonstrate how the 4 Licensing Objectives will be upheld

Agreements between parties
<p>Greater Manchester Police:</p> <p>Agreement is for the following condition to be attached to the licence:</p> <p>Whenever any part of the premises offer licensable activities beyond 01:00 to persons who are not hotel residents or their bona fide guests, SIA registered door staff shall be employed in that part(s) of the premises at a ratio of 1:100 persons from 22:00 until such time as licensable activities cease to be offered to those persons.</p>

Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Original application form
- Representations made against application and respective agreements

Manchester City Council

Report for Resolution

Report to: Licensing Subcommittee Hearing Panel – 6 December 2018

Subject: COSMO, Ground Floor, Maybrook House, 40 Blackfriars Street, Manchester, M3 2EG - Premises Licence variation220866

Report of: Head of Planning, Building Control & Licensing

Summary

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

Recommendations

That the Committee determine the application.

Wards Affected: Deansgate

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

A connected city: world class infrastructure and connectivity to drive growth	
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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: f.swift@manchester.gov.uk

Name: Ria Page
 Position: Technical Licensing Officer
 Telephone: 0161 234 4399
 E-mail: Premises.licensing@manchester.gov.uk

Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 18/10/2018, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of COSMO, Ground Floor, Maybrook House, 40 Blackfriars Street, Manchester, M3 2EG in the Deansgate ward of Manchester. A location map of the premises is attached at Annex 1.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. Current Licence

- 2.1 **The premises licence holder is Central Land Investments Ltd and a copy of the current licence is attached at Annex 5.**

3. The Application

- 3.1 **A copy of the application is attached at Annex 2.**

- 3.2 **The variation is:**

To remove conditions 9 & 15 from Annex 3 of the premises licence as the nature of the business has changed.

Condition 9:

Any externally promoted event or large party booking the Designated Premises Supervisor to contact the City Centre Safe office at Bootle Street Police Station at least 28 days prior to the event or as soon as practicable so that the event can be properly risk assessed.

Condition 15:

With the exception of the ground floor area, alcohol sales shall be ancillary to food sales

- 3.3 **Activities unsuitable for children**

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

3.4 **Steps to promote the licensing objectives**

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

3.4.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at Annex 3.

4. **Relevant Representations**

4.1 One relevant representation was received in respect of the application (Annex 4).

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team;

4.2 Summary of the representations:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	The removal of Condition 15 could undermine the licensing objections if the premises changed its use from a buffet style restaurant. Current conditions on the licence would not be sufficient in upholding licensing objectives if the premises changed its use to a vertical drinking type establishment.	Grant removal of Condition 9 Refuse removal of Condition 15

4.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at Annex 3.

5. **Key Policies and Considerations**

5.1 **Legal Considerations**

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

5.2 **New Information**

- 5.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.
- 5.3 **Hearsay Evidence**
- 5.3.1 The Panel may accept hearsay evidence and it will be a matter for the Panel to attach what weight to it that they consider appropriate. Hearsay evidence is evidence of something that a witness neither saw nor heard, but has heard or read about.
- 5.4 **The Secretary of State's Guidance to the Licensing Act 2003**
- 5.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.
- 5.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.
- 5.4.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.
- 5.5 **Manchester Statement of Licensing Policy**
- 5.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' its statement of licensing policy.
- 5.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.
- 5.5.3 Section 4 of the Policy (Operation of the Policy) sets out that an opposed application that complies with the Policy will not necessarily be granted, nor will an opposed application that does not comply with it necessarily be refused.

- 5.5.4 Where there is objection to an operating schedule that departs from the Policy, the Panel hearing an opposed application will normally expect to be given a good reason for the departure if it is to be asked to make an exception to the Policy.
- 5.5.5 The licensing authority will not interfere with an operating schedule that does not comply with the Policy where the steps proposed are sufficient to meet the licensing objectives in the individual circumstances of the case.
- 5.5.6 There are a number of references in the Policy to the licensing authority's expectations of applicants. The licensing authority will not apply the Policy rigidly, but will always have regard to the merits of the case with a view to promoting the licensing objectives.
- 5.5.7 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy:

Section 6: What we aim to encourage

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

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

Section 7: Local factors

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

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

- Identified risk factors specific to the licensed premises

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

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

MS2 Effective general management of the premises

MS3 Responsible promotion and sale of alcohol

6. Conclusion

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

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

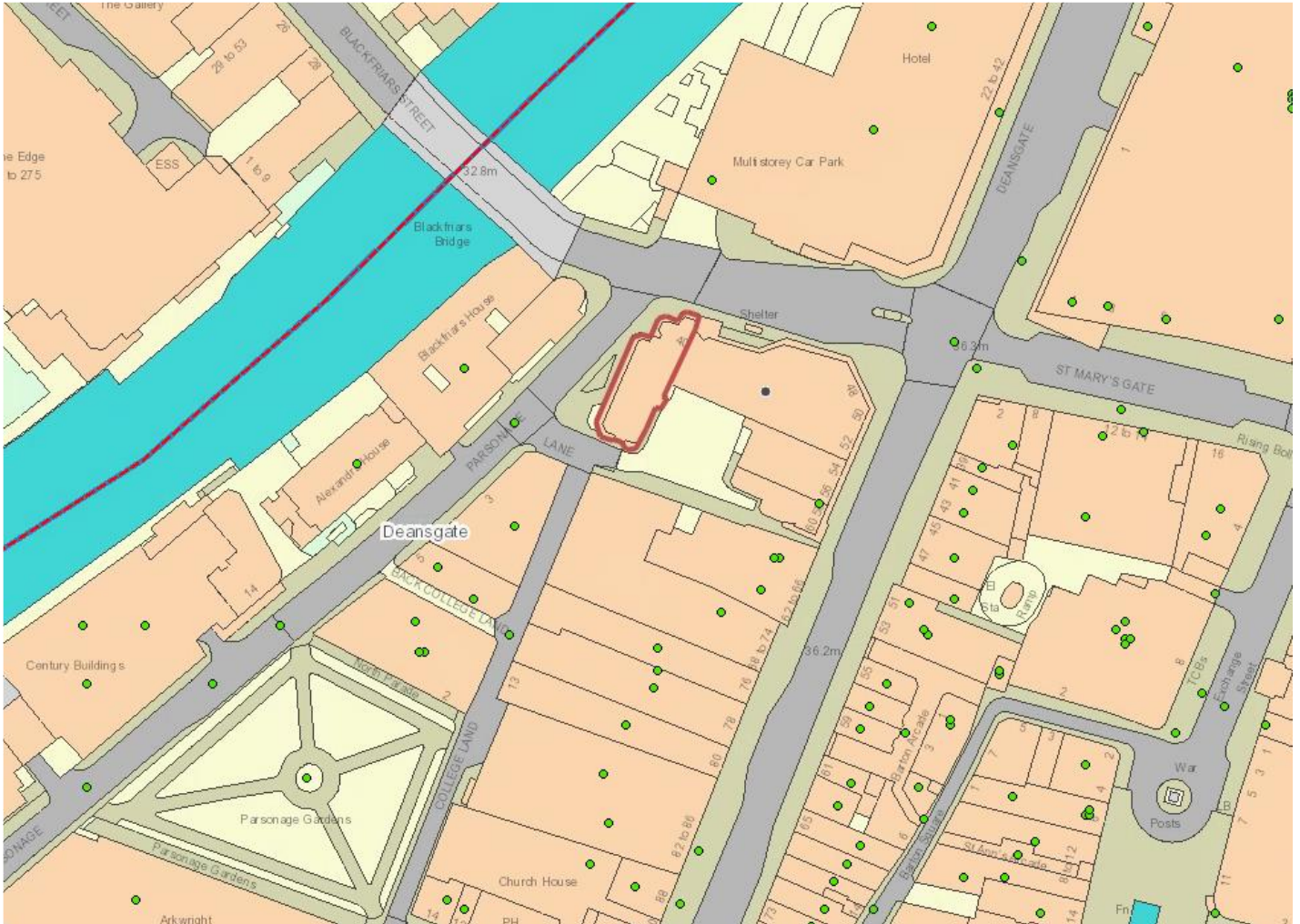
6.2 In considering the matter, the Committee should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had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

6.3 The Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:

- a) To grant the licence subject to the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate;

b) To reject the whole or part of the application

- 6.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 6.5 However, conditions should not be imposed on a licence which are unrelated to the variation sought.
- 6.6 All licensing determinations should be considered on the individual merits of the application.
- 6.7 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 6.8 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 6.9 The Panel is asked to determine the application.



COSMO
Ground Floor, Maybrook House, 40 Blackfriars Street,
Manchester, M3 2EG



**MANCHESTER
CITY COUNCIL**

Send completed application form to:
Premises Licensing
Manchester City Council
Level 2 Town Hall Extension
Albert Square
PO Box 532, M60 2LA

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Central Land Investments Ltd.
(Insert name(s) of applicant)

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

Premises licence number	130516
-------------------------	--------

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
COSMO Ground floor, Maybrook House 40 Blackfriars Street			
Post town	Manchester	Postcode	M32EG

Telephone number at premises (if any)	0161 989 1388
Non-domestic rateable value of premises	£ 226,000

Part 2 – Applicant details

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

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

Remove Condition 9 and 15 of Annex 3 – Conditions attached after hearing by licensing authority as we inherited the Premises licence from previous occupier and the nature of the business changed

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment**Please tick all that apply**

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

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

Sale by retail 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 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	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 3)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
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 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or <u>outdoors or both – please tick</u> (please read guidance note 2)	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 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
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 5)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
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 5)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Wed					
Thur			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 (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u>		
Mon					
Tue			<u>State any seasonal variations for the performance of live music (please read guidance note 4)</u>		
Wed					
Thur			<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 (please read guidance note 5)</u>		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
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 5)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><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 5)</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
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 5)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	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 4)		
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 5)		

K

<p>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 8).</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			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 5)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

Removing Annex 3 – Conditions 15.
All Alcohol is served to the table by serving staff. The Ground floor area is used for receptions.

b) The prevention of crime and disorder

Removing Annex 3 – Conditions 9.
We are a buffet restaurant and we don't hold any externally promoted events. Our Booking system are sufficiently accommodating all bookings and this condition is unreasonable. If there is a 28 days notice to the police, this will affect business revenue intake and also the booking system.

c) Public safety

N/A

d) The prevention of public nuisance

N/A

e) The protection of children from harm

N/A.

Checklist:


Please tick to indicate agreement

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

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	05/10/2018
Capacity	DIRECTOR

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

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

Notes for Guidance

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

1. 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. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. 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.
7. 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'.
8. 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.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
None	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
None – <ul style="list-style-type: none"> • Request to refuse removal of Condition 15 • Removal of Condition 9 – Agreed. 	No	Licensing and Out of Hours

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**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details	
Application Ref No	220866
Name of Premises	COSMO
Address	Maybrook House", 40 Blackfriars Street, Manchester M3 2EG

Representation
<p>Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.</p> <p>No issue with the removal of Annex 3, Condition 9.</p> <p>Annex 3</p> <p>15. With the exception of the ground floor area, alcohol sales shall be ancillary to food sales</p> <p>The removal of the above condition could undermine the licensing objections if the premises changed its use from a buffet style restaurant. The premises is large and the current conditions on the licence would not be sufficient in upholding licensing objectives if the premises changed its use to a vertical drinking type establishment.</p> <p>We would consider the above condition appropriate for the current premises use so ask that the application to remove this condition is refused.</p>
Recommendation: Refusal

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MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	130516
Granted	17/09/2010
Latest version	Change of Details 29/09/2018

Part 1 - Premises details

Name and address of premises
COSMO Ground Floor, Maybrook House, 40 Blackfriars Street, Manchester, M3 2EG
Telephone number
0161 989 1388

Licensable activities authorised by the licence
<ol style="list-style-type: none"> 1. The sale by retail of alcohol*. 2. The provision of regulated entertainment, limited to: <ul style="list-style-type: none"> Exhibition of films; Live music; Recorded music; Performances of dance; 3. The provision of late night refreshment. <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0100	0100	0100	0100	0100	0100	0100
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non standard Timings:							
<u>New Year:</u> From the start time on New Year's Eve to the terminal hour for New Year's Day							
<u>On the day British Summer Time commences:</u> one additional hour following the terminal hour.							

Exhibition of films; Live music; Recorded music; Performances of dance							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0100	0100	0100	0100	0100	0100	0100
Licensed to take place indoors only.							
Seasonal variations and Non standard Timings:							
<u>New Year:</u> From the start time on New Year's Eve to the terminal hour for New Year's Day							
<u>On the day British Summer Time commences:</u> one additional hour following the terminal hour.							

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0100	0100	0100	0100	0100	0100	0100
Licensed to take place indoors only.							
Seasonal variations and Non standard Timings:							
<u>New Year:</u> From the start time on New Year's Eve to the terminal hour for New Year's Day							
<u>On the day British Summer Time commences:</u> one additional hour following the terminal hour.							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0700	0700	0700	0700	0700	0700	0700
Finish	0130	0130	0130	0130	0130	0130	0130
Seasonal variations and Non standard Timings:							
<u>New Year:</u> From the start time on New Year's Eve to the terminal hour for New Year's Day							
<u>On the day British Summer Time commences:</u> one additional hour following the terminal hour.							

Part 2

Details of premises licence holder	
Name:	Central Land Investment
Address:	53 Wood Street, unit 5, Cosmo House, EN5 4BS
Registered number:	07609716

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	Kan Koo
Address:	[REDACTED]
Personal Licence number:	05/01036/bexley/li
Issuing Authority:	Bexley Council

Annex 1 – Mandatory conditions	
Door Supervisors	
1.	Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: - <ul style="list-style-type: none"> (a) Unauthorised access or occupation (e.g. through door supervision), (b) Outbreaks of disorder, or (c) Damage, unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.
Supply of alcohol	
2.	No supply of alcohol may be made under this premises licence: <ul style="list-style-type: none"> (a) At a time when there is no designated premises supervisor in respect of the premises licence or, (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3.	Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

4. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
- (a) a holographic mark, or
- (b) an ultraviolet feature.
5. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
- (2) For the purposes of the condition set out in (1) above–
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) “permitted price” is the price found by applying the formula–
- $$P = D + (D \times V)$$
- where –
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

8. The responsible person must ensure that –

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

For the purposes of conditions 6, 7 and 8 above, a responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

Exhibition of films

9. The admission of children under the age of 18 to film exhibitions permitted under the terms of this certificate shall be restricted in accordance with any recommendations made:
- (a) by the British Board of Film Classification (BBFC) where the film has been classified by that Board, or
 - (b) by the Licensing Authority where no classification certificate has been granted by the BBFC, or where the licensing authority has notified the club which holds the certificate that section 20 (3) (b) (74 (3)(b) for clubs) of the Licensing Act 2003 applies to the film.

Annex 2 – Conditions consistent with the operating schedule

1. Management and staff shall ensure that all licensed area of the premises are supervised at all times they are open to the public.
2. The Challenge 21 policy shall be implemented in full and appropriate ID, bearing the PAS logo and hologram shall be required. Staff shall be fully trained to prevent the sale of alcohol to persons under 18 or to adults on behalf of persons under 18.

Annex 3 – Conditions attached after hearing by the licensing authority

1. Any area where customers have legitimate access shall be sufficiently illuminated for the purposes of CCTV. CCTV shall be in operation at any time a person is in the premises. All CCTV recorded images shall have sufficient clarity / quality / definition to enable facial recognition. CCTV shall be kept in an unedited format for a minimum period of 28 days.
 - i. CCTV shall be maintained on a regular basis and kept in good working order. CCTV maintenance records to be kept details of contractor used and work carried out to be recorded.
 - ii. Where CCTV is recorded on to a hard drive system any DVD's subsequently produced shall be in a format so it can be played back on a standard personal computer or standard DVD player.
 - iii. Where CCTV is recorded on to a hard drive system, the hard drive system shall have a minimum of 28 day roll over recording period. Where CCTV is recorded on to VHS cassette tapes there shall be a minimum of 28 days worth of VHS cassettes. These shall be indexed and used on a roll over basis.
 - iv. Any person left in charge of the premises shall be trained in the use of any such CCTV equipment and able to produce / download / burn CCTV images upon request by a person from a responsible authority.
 - v. Plans indicating the position of CCTV cameras to be submitted to the responsible bodies within one week of the granting of a licence requiring CCTV.
 - vi. Where the recording is on a removable medium (i.e. videotape, compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.
2. Notices shall be displayed in prominent positions at the premises indicating that the Challenge / Think 21 policy is in force.
3. Staff training shall include the Challenge / Think 21 policy and its operation. In particular staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training shall be given to a new member of staff before they commence paid employment and all staff shall be retrained quarterly
4. All training shall be documented.
5. A sales refusal book shall be kept at the premises and this shall be checked each week by either the premises licence holder or the designated premises supervisor. The aim of the check is to ensure that staff are accurately recording refusals.
6. The refusal book shall be open to inspection by appropriate officers of responsible authorities.
7. The need for door security shall be assessed by the Licence Holder or Designated Premises Supervisor on a regular basis and door staff shall be employed when and where the risk assessment deems this appropriate. When employed they shall wear Hi-Vis jackets at all times
8. A written record shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as security personnel in a register kept for that purpose. That record shall contain the following details:-
 - i. the door supervisor's name, date of birth and home address;
 - ii. his/her Security Industry Authority licence number;

- iii. the time and date he/she starts and finishes duty;
- iv. the time of any breaks taken whilst on duty;
- v. each entry shall be signed by the door supervisor.

That register shall be available for inspection on demand by an Authorised Officer of responsible authorities

9. Any externally promoted event or large party booking the Designated Premises Supervisor to contact the City Centre Safe office at Bootle Street Police Station at least 28 days prior to the event or as soon as practicable so that the event can be properly risk assessed.
10. Any person who tries to gain entry to the premises who is involved in disorderly conduct or anti social behaviour outside the premises shall not be permitted entry to the premises. The premises licence holder or Designated Premises Supervisor shall ensure that any person within the premises who is involved in disorderly conduct or anti social behaviour inside the premises shall be removed from the premises.
11. Not to allow to enter or to allow to remain in the premises any person who is notified to the Designated Premises Supervisor by Greater Manchester Police as being a person of bad character by way of association to other persons or by convictions at court.
12. Local taxi numbers shall be available for customers to assist in ordering a taxi.
13. A smoking policy to be drawn up by the Premises Licence Holder or Designated Premises Supervisor to include a clearly defined area and lodged with City Safe prior to the premises opening for the first time.
14. Management and staff shall ensure that persons leaving the premises conduct themselves in an orderly manner and do not in any way cause annoyance to persons passing by.

Conditions added by variation 159319, granted 11/03/2014

15. With the exception of the ground floor area, alcohol sales shall be ancillary to food sales
16. Customers shall be encouraged to leave the premises in a quiet and orderly manner.
17. Staff shall be trained to observe the measures necessary to promote the crime and disorder objective.
18. Staff shall be trained to observe the measures necessary to promote the public safety objective.
19. The premises shall be adequately ventilated to prevent nuisance.
20. Arrangements shall be made for the storage and disposal of refuse which do not cause a nuisance.
21. Any noise from the licensable activities provided shall be monitored in order to prevent nuisance.
22. Staff shall be trained to observe the measures necessary to promote the protection of children objective.
23. Non-alcoholic drinks shall be available.

Annex 4 – Plans

See attached

**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 6 December 2018

Subject: Open Space, Part 7th Floor, XYZ Buidling, 2 Hardman Boulevard, Manchester, M3 3AQ - 221712

Report of: Head of Planning, Building Control & Licensing

Summary

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

Recommendations

That the Panel determine the application.

Wards Affected: Deansgate

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

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

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue None

Financial Consequences – Capital None

Contact Officers:

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

Name: Ashia Maqsood
Position: Technical Licensing Officer
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Background documents (available for public inspection):

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

1. Introduction

- 1.1 On 19/10/2018, an application for the grant of a Premises Licence under s17 of the Licensing Act 2003 was made in respect of Open Space, Part 7th Floor, XYZ Building, 2 Hardman Boulevard, Manchester, M3 3AQ in the Deansgate ward of Manchester. A location map of the premises is attached at Annex 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 Annex 2.
- 2.2 The applicant is XYZ Work Limited.
- 2.3 The description of the premises as given by the applicant is:

Lounge/Event Space accessible to members of the co working space within the XYZ building and those attending pre-scheduled events.
- 2.4 The proposed designated premises supervisor is Mark Morris
- 2.5 The licensable activities applied for are:
 - The supply of alcohol for consumption on the premises only:
 - Monday to Friday: 12 noon to 10pm
 - Opening hours:
 - Monday to Sunday: Midnight to Midnight (24 hours)
- 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 Annex 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 Annex 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 Annex 2:

- Dispersal Policy

3. **Relevant Representations**

3.1 A total of **5** relevant representations were received in respect of the application (Annex 3). The personal details of all members of the public have been redacted. Original copies of these representations will be available to the Panel at the hearing.

Responsible Authorities:

- MCC Licensing and Out of Hours Compliance Team

Other Persons:

- Residents (x4)

3.2 Summary of the representations:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	An objection was received from the Out of Hours team as they had concerns due to the proximity of the balcony to local residents. They stated that the proposed conditions were not sufficient to address the risk of	Grant with conditions

	public nuisance.	
Residents (x3)	Residents objected to the application due to the proximity of the premises to residential buildings. Residents believed that the granting of this licence would adversely impact their private lives, increase noise nuisance and expose children to intoxicated premises users.	

- 3.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at Annex 4.
- 3.4 Agreements on conditions have been reached with the Out of Hours Team and resident 3

4. Key Policies and Considerations

4.1 Legal Considerations

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

4.2 New Information

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

4.3 Hearsay Evidence

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

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

- 4.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. 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 that an opposed application that complies with the Policy will not necessarily be granted, nor will an opposed application that does not comply with it necessarily be refused.
- 4.5.4 Where there is objection to an operating schedule that departs from the Policy, the Panel hearing an opposed application will normally expect to be given a good reason for the departure if it is to be asked to make an exception to the Policy.
- 4.5.5 The licensing authority will not interfere with an operating schedule that does not comply with the Policy where the steps proposed are sufficient to meet the licensing objectives in the individual circumstances of the case.
- 4.5.6 There are a number of references in the Policy to the licensing authority's expectations of applicants. The licensing authority will not apply the Policy rigidly, but will always have regard to the merits of the case with a view to promoting the licensing objectives.
- 4.5.7 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy:

Section 6: What we aim to encourage

This section identifies certain types of venues and initiatives the licensing authority aims to encourage in order to promote an inclusive evening and

night-time economy not simply focused on the consumption of alcohol. We aim to encourage:

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

Section 7: Local factors

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

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

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- Proximity of takeaways and 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
- Proximity to sensitive uses
- The availability of transport to and from the premises
- Ability to clean and maintain the street scene
- Premises in proximity to the airport

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

This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be appropriate to apply in every situation to every premises, and applicants are not obliged to include all standards in their operating schedule. The degree to which standards would be appropriate is expected to be

proportionate to the risk posed against the promotion of the licensing objectives having regard to the individual circumstances of the premises. The standards are not exhaustive and the licensing authority will have regard to any relevant issues raised in any representation that may fall outside them.

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS4 Prevent the use of illegal drugs, new psychoactive substances (NPS) and the spiking of drinks at the premises
- MS5 Prevent on-street consumption of alcohol
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS7 Maintain a safe capacity
- MS8 Prevent noise nuisance from the premises
- MS9 Effectively manage exterior spaces (eg beer gardens, smoking areas, table and chair areas on the highway)
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

Section 9: Alcohol delivery services

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

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

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

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

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

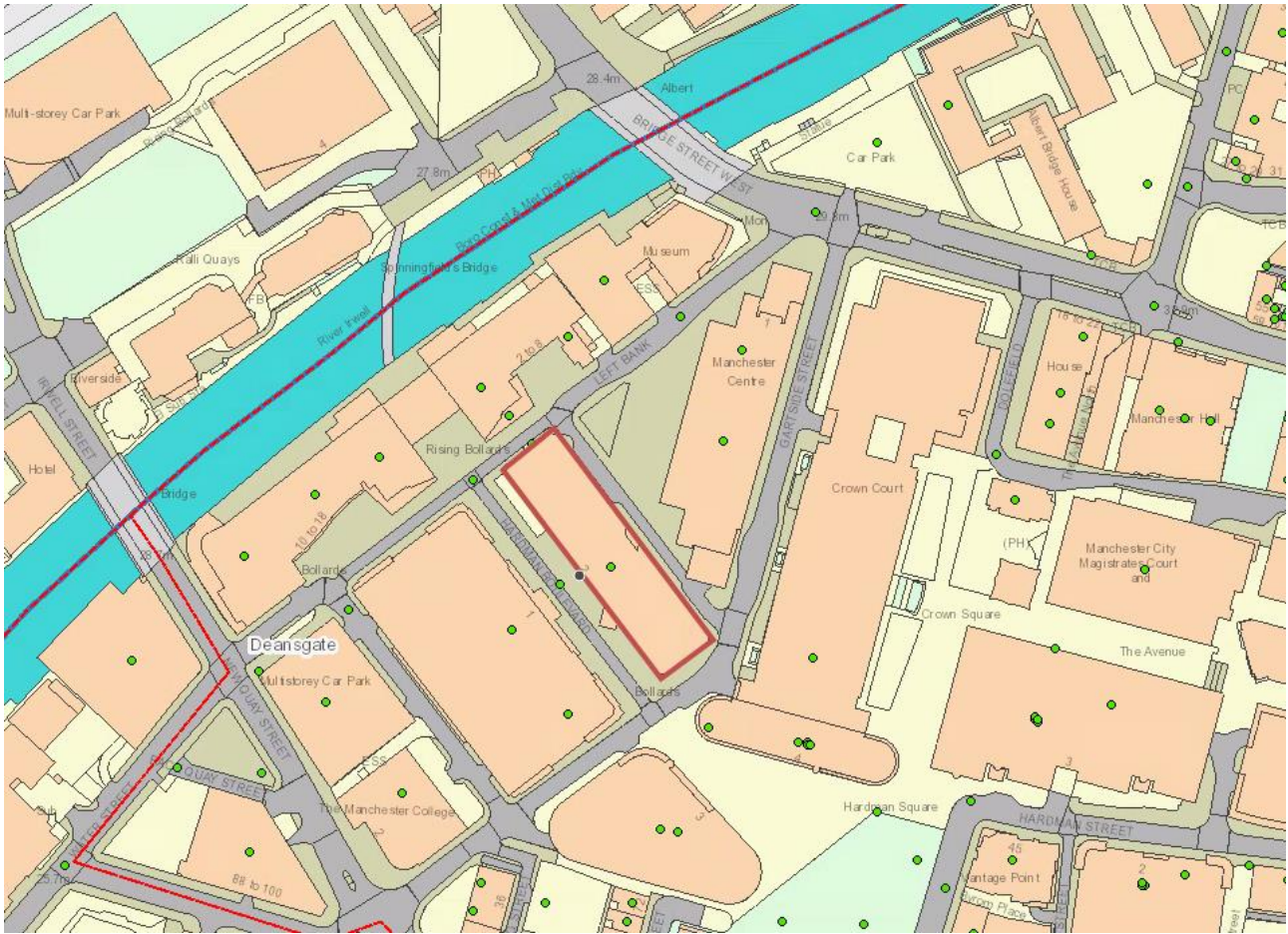
Section 12: Premises Licences for large-scale public events

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

5. **Conclusion**

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

- 5.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 5.8 The Panel is asked to determine the application



PREMISE NAME:	Open Space
PREMISE ADDRESS:	Part 7th Floor, XYZ Buidling, 2 Hardman Boulevard, Manchester, M3 3AQ
WARD:	Deansgate
HEARING DATE:	06/12/2018



PREMISE NAME:	Open Space
PREMISE ADDRESS:	Part 7th Floor, XYZ Buidling, 2 Hardman Boulevard, Manchester, M3 3AQ
WARD:	Deansgate
HEARING DATE:	06/12/2018

**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 XYZ Work 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 Part 7th Floor, XYZ Building, 2 Hardman Boulevard			
Post town	Manchester	Postcode	M3 3AQ
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£Unknown	

Part 2 - Applicant details

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

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <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 XYZ Work Limited
Address c/o Allied London, No.1 Spinningfields, Level 12, 1 Hardman Square, Manchester, M3 3EB
Registered number (where applicable) 09832818
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited company
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	7	1 1 2 0 1 8

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)

Lounge/event space, accessible to members of the co-working space within the XYZ building and those attending pre-scheduled events.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

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

E

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

F

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

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<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"/>
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 provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				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	12:00	22:00			
Tue	12:00	22:00			
Wed	12:00	22:00			
Thur	12:00	22:00			
Fri	12:00	22:00			
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 Mark Morris	
[REDACTED]	
[REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) Leeds City Council	

□□□□

K

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

n/a

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Mon	00:01	00:00	
Tue	00:01	00:00	
Wed	00:01	00:00	
Thur	00:01	00:00	
Fri	00:01	00:00	
Sat	00:01	00:00	
Sun	00:01	00:00 v	

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

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

Please see attached operating schedule and policies.

b) The prevention of crime and disorder

Please see attached operating schedule and policies.

c) Public safety

Please see attached operating schedule and policies.

d) The prevention of public nuisance

Please see attached operating schedule and policies.

e) The protection of children from harm

Please see attached operating schedule and policies.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (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	Kuit Steinart Levy LLP
Date	19 October 2018
Capacity	Solicitors and Authorised Agents

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) Kuit Steinart Levy LLP, 3 St Mary's Parsonage			
Post town	Manchester	Postcode	M3 2RD
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			

Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:

OPERATING SCHEDULE

A) The Prevention of Crime and Disorder

1. The premises shall only be accessible to members of the co-working space located in the XYZ building or to persons attending pre-scheduled events.
2. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.
3. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
4. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
5. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
6. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment, to be carried out by the DPS. When employed, door staff will wear high visibility armbands.
7. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - (i) the number of door staff on duty;
 - (ii) the identity of each member of door staff;
 - (iii) the times the door staff are on duty.
8. Open containers of alcohol shall not be removed from the premises.
9. Staff will be trained in the requirements of the Licensing Act 2003 with regard to the licensing objectives, the laws relating to under age sales, and the laws relating to the sale of alcohol to intoxicated persons and that training shall be documented and repeated at 6 monthly intervals.
10. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request.

B) Public Safety

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

C) The Prevention of Public Nuisance

1. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
3. The exterior of the building shall be cleared of litter at regular intervals.
4. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
5. A Dispersal Policy will be implemented and adhered to (see attached).
6. The emptying of bins into skips, and refuse collections will not take place between 11pm and 8am.

D) The Protection of Children From Harm

1. A "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram.
2. Staff training will include the Challenge 21 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.
3. Notices advising what forms of ID are acceptable must be displayed.
4. Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force.

7TH FLOOR, XYZ BUILDING

DISPERSAL POLICY

The purpose of this Dispersal Policy is to ensure, so far as it is possible, that minimum disturbance or nuisance is caused to our neighbours and to ensure that the operation of the premises makes the minimum impact upon the neighbourhood in relation to potential nuisance and anti-social behaviour. This will be achieved by exercising pro-active measures towards and at the end of the evening.

By ensuring that this Dispersal Policy document is brought to the attention of Management and Staff we will seek to encourage the efficient, controlled and safe dispersal of our patrons during our closing period.

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

Resident 1

Date: 4 November 2018 at 14:08

Subject: Reference: 221712/AM2

To: premises.licensing@manchester.gov.uk

Cc: [REDACTED]

Reference: 221712/AM2

Premises: Part 7th Floor XYZ Building, XYZ Building, 2 Hardman Boulevard, Manchester, M3 3AQ

Applicant: XYZ Work Limited

Hi

I am a resident of [REDACTED] Leftbank which is directly outside and opposite floor 7 of the XYZ's outdoor space.

Please accept this as my concern over the above licence application regarding the opening hours and the hours of alcohol availability.

This space has a large outdoor balcony overlooking, and is located very close to our living room and bedrooms.

- 1) For this reason I think a 10pm alcohol license is too late and will promote loud, disturbing noise in outside areas late at night.
- 2) There is no noted limitation on the time allowed on the outdoor area of the premises which I am sure will cause a "nuisance to occupants" of this residential dwelling.
- 3) The XYZ's event space is so close to our bedrooms and living rooms that I am certain ANY night time music from this premises will cause a disturbance to myself, my family and my neighbours.

I have no problem with the 7th floor being an event space as planned, but I am certain that any alcohol licence granted to somewhere so close, and with a large outdoor balcony, will provide excessive noise disturbance to residents...who are living within 10 metres of this newly erected space.

Please find attached image of the proximity of this event space to which you are considering granting a 10pm alcohol licence.

Thanks

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



From: [REDACTED]

Date: 12 November 2018 at 13:14

Subject: OBJECTION to: Reference: 221712/AM2 - Part 7th Floor XYZ Building

To: premises.licensing@manchester.gov.uk

Cc: "[REDACTED]"

cc. Leftbank manager: [REDACTED]

In regards to the above application and having attended the event hosted by the Licence Applicants to inform Leftbank residents of the Proposal. I would like to OBJECT to the Application as it currently stands.

It should also be noted that just prior to this meeting and when the information was sent to Leftbank residents the government page:

https://secure.manchester.gov.uk/info/200063/licences_and_permissions/610/deansgate_-_current_licence_applications/7

Showed as : PAGE NOT FOUND and only Now available to view in full.

At the least a delay should be given to allow the hundreds of tenants at Leftbank to view the details in full. In order to make an informed choice.

Key Points for Objection:

1. PRIVACY will be TOTALLY REVERSED:

One of key reasons to choose to live at Leftbank, especially at the higher levels 7+, was due to the quietness and as all office workers leave at circa 4-5.30pm. NOW.... There will be 700+ 'members' with access to a Balcony with alcohol that directly looks into our bedrooms and living space. In addition the 700+ members there will be visitors hosted by the applicant.

Visitors to this balcony will of course like all rooftop bars etc in Manchester, higher up, will be inquisitive to look around at the sights.

With the suspended Apartments/Penthouses of Leftbank being from floor 7+ RESULTS in regular strangers observing directly into our Living area, Bedrooms and CHILDREN's bedrooms.

This is not normally a problem as the resident's living time is AFTER the workers have gone home - accepting this application totally reverses ALL of our Privacy mon-Fri up till 10pm.

2. NOISE NUISANCE:

The Noise in the Leftbank/Spinningfields area massively travels and having uptown 30 persons on a Balcony with alcohol Partying/Conversing etc only circa 20 metres from our homes and balconies, will be again a total reversal to the quiet standards experiences presently.

3. UNNECESSARY APPLICATION

There are numerous new Bars (20 Stories, the Ivy) etc that have rooftop facilities and would totally welcome corporate workers in their off peak times (5-10pm midweek) which are far enough away from the hundreds of residents of Leftbank, but also within a few mins walking distance of the Applicants buildings. And if an office block wants to entertain clients or themselves, can they simply not access the MANY bars and corporate social spaces already available in Spinningfields.

At worst case scenario, the application should NOT be for continued access to such a late hour of 10pm and capped at max 6-7pm on certain evenings (Friday) etc.

Thank you for your consideration of these comments reflecting many of the residents concerns

██████████

Resident 3

Question	Response
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First name:	████
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Last name:	████
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Building number or name:	Flat	████
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Street:	████ Leftbank
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Area:	Manchester
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Postcode:	M3 3AH
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Email :	████████████████████
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Application reference number: 221712/AM2

Premises name (if known) and full address this representation relates to: 7th Floor

XYZ Building

Hardman Boulevard

Spinningfields

Manchester

The prevention of public nuisance

I have no objection to the license application inside the XYZ building, however, the use of the external balcony up to 22:00 will cause nuisance for those residents of flats facing it directly. The balcony is very close to Leftbank apartments and there is no noise barrier. Some of those flats will have bedrooms close to the balcony and for anyone working early mornings needing early sleep times will be impacted by noise that inevitably generated by people enjoying the consumption of alcohol. It would be a shame not to make use of the balcony but can I suggest that it is closed from 20:00?

AGREED- SEE NEXT PAGE

From: [REDACTED]

Sent: 26 November 2018 16:09

To: [REDACTED]

Subject: Re: XYZ 7th Floor Premises Licence Application (XYZ2/1)

Hi [REDACTED]

Thanks for the comprehensive email.

A rather shorter reply.

Yes, that does sound like a very reasonable compromise. I happy with that provided it is properly managed and adhered to.

Many thanks,

[REDACTED]

[REDACTED]

[REDACTED]

On 26 Nov 2018, at 15:25, [REDACTED]@kuits.com> wrote:

Good afternoon [REDACTED]

Hope you are well. I write further to our previous correspondence in relation to the above, to the residents meeting held, and to the representation that you have submitted.

I have now had the opportunity of discussing the representations lodged, and the comments and concerns raised in the residents meeting, with my clients.

It seems that your concerns are shared by those who have objected – in that there certainly doesn't seem to be any particular issue with the internal use of the space, but use of the external space on the balcony is the potential point of contention.

I would highlight some of the points we discussed in the residents meeting as follows:

Firstly, the balcony space that is to be licensed is not that which is closest to Leftbank – a section of balcony has been deliberately left between the edge closest to Leftbank and the start of the licensed area. I attach a copy of the plan lodged with the application, and you will see that there is a section of balcony below the red line here. I would highlight that there will be no access for patrons of the licensed premises from the red line area to this section of the balcony

Secondly, at that end of the balcony closest to Leftbank, my clients will be constructing a 'living wall' which will provide a sight barrier between the balcony and Left Bank. We appreciate that this won't fully obscure all views as the front of the balcony does provide a line of sight, but it will certainly assist in restricting this and providing a barrier for the Leftbank residents.

Thirdly, we are happy to agree various additional conditions which will hopefully provide additional comfort to residents in respect of the use of the balcony, as follows:

- o 'No smoking shall be permitted at the premises.'
- o 'No speakers shall be mounted externally.'
- o 'Balcony doors shall remain closed after 20:00 except for ingress and egress.'
- o 'The telephone number of the DPS or premises manager shall be provided to the management team/concierge of the Leftbank Apartments.'
- o 'The DPS or premises manager shall attend any local residents meetings if requested to do so.'

I am hopeful that you will agree that these represent significant and sensible compromises which restrict the use of the balcony in a balanced manner appropriate to the context of the area as a whole. They also ensure that the residents have direct contact should there be any concerns going forward. However, we also discussed the nature of the operation and the monitoring of the premises will dictate the standards of behaviour of those using the space.

Further though, I note that your suggestion is that the times for the use of the balcony should be restricted, and indeed this was also something which was raised during the residents meeting.

We have considered this in detail, and would suggest that, again in the context of the size of the premises, the area as a whole and the other uses in close proximity, 9pm is an appropriate and reasonable cut off time. As such, we will be happy to agree the addition of the following condition:

'The balcony shall not be accessible to customers after 21:00 daily.'

I do hope that the above assisting in addressing the concerns you have in respect of this application, but if you wish to discuss any further, please do not hesitate to contact me.

Kind regards,



Resident 4

From: [REDACTED] >

Date: 13 November 2018 at 13:37

Subject: Reference: 221712/AM2

To: "premises.licensing@manchester.gov.uk" <premises.licensing@manchester.gov.uk>

Dear Sirs

Regarding: Part 7th Floor XYZ Building

Reference :221712/AM2

I would like to share my concerns about the proposed license on the 7th Floor of the XYZ building in Spinningfields, Manchester.

I am the owner of an apartment on the [REDACTED] floor of Leftbank who's balcony oversees the whole of spinningfields [REDACTED]. I feel that having a licensed premises overlook our apartments is against public safety for the residents of Leftbank. There is a fear that anyone can look into their apartment and monitor their activities. Not only will it be a nuisance for those trying to sleep during the week but not being able to use their own balcony for peace and quiet makes the apartment less desirable for tenants. We are in an age where people video or take picture of anything, meaning anyone in these apartments can be subject to that.

Secondly, there are quite a few families that live in the Leftbank apartment block. I think this application put's their safety and standard of living at risk. No child wants to look out of their window and see drunk people opposite them during a school night.

Please can you reconsider this application or at least make the hours of operations in tune with standard business hours.

Many Thanks

[REDACTED]


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

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

Premise Details	
Application Ref No	LPA221712
Name of Premises	Part 7th Floor XYZ Building
Address	2 Hardman Boulevard, Manchester, M3 3AQ

Representation
Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.
<p><u>Prevention of Public Nuisance</u></p> <p>The Licensing and Out of Hours (LOOH) team have assessed the likely impact of the grant of this application, taking into account a number of factors including the nature of the area in which the premises is located and the risk that granting this licence could lead to issues of public nuisance.</p> <p>The premises is located in Spinningfields, on the seventh floor of the XYZ building. The premises has a large outdoor balcony area, which, at its closest distance, is approximately only 12 metres away from residential properties of the neighbouring Left Bank Apartments building.</p> <p>We have concerns that the conditions currently proposed are not sufficient to adequately address the risk of Public Nuisance, considering the close proximity of so many residential properties.</p> <p>We therefore recommend that the following conditions be added to the premises licence:</p> <ul style="list-style-type: none"> • No speakers shall be mounted externally • No alcohol or glass containers shall be on the balcony after 20.00 • Balcony doors shall remain closed after 20.00 except for ingress and egress • The mobile bar shall not be located or used on the balcony at any time • Alcohol shall not be made available via self-service • There shall be a documented Smoking Policy drawn up by the DPS and implemented at the premises

- Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them
- The telephone number of the DPS or premises manager shall be provided to the management team/concierge of the Left Bank Apartments
- The DPS or premises manager shall attend any local residents meetings if requested to do so

Recommendation:

Approve with Conditions (Outlined Above)

AGREED

From: [REDACTED]

Date: Sat, 24 Nov 2018 at 09:59

Subject: Conditions agreed - LPA221712 - 7th Floor, XYZ Building, Spinningfields

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

Good morning,

Please see the email trail below between myself and [REDACTED] Kuits.

The conditions proposed on my representation have been accepted other than the following which have also been agreed:

Proposed condition *'No alcohol or glass containers shall be on the balcony after 20.00'* to be replaced with *'The balcony shall not be accessible to customers after 21:00 daily'*

Also, removing condition *'Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them'* as this is duplication of the existing terms of the licence.

Kind regards,

[REDACTED]

--- Forwarded message -----

[REDACTED]
Date: Fri, 23 Nov 2018 at 16:34
Subject: RE: Premises Licence hearings 06/12/2018 (XYZ2/1)
To: [REDACTED]

Hi [REDACTED]

Thanks for coming back to me so quickly, I can confirm the below is correct.

If you can confirm to the licensing team that we are agreed, that would be great.

Kind regards,

[REDACTED]

[REDACTED]
Associate | Licensing

From: [REDACTED]
Sent: 23 November 2018 16:17
To: [REDACTED]
Subject: Re: Premises Licence hearings 06/12/2018 (XYZ2/1)

Hello [REDACTED]

Thank you for clarifying everything by email, I am happy to accept your amendments to the conditions.

To be clear, that is, that the premises accepts all of the conditions on my representation other than:

'No alcohol or glass containers shall be on the balcony after 20.00' to be replaced with 'The balcony shall not be accessible to customers after 21:00 daily'

Also, removing 'Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them' as this is duplication of the existing terms of the licence.

Please let me know that you are happy with this and I can confirm with the Premises Licensing team.

Kind regards,

[REDACTED]
Level 2 Neighbourhood Officer
Licensing & Out of Hours Compliance
The Neighbourhoods Service
Growth and Neighbourhoods Directorate
Contact Centre: 0161 234 5004

On Fri, 23 Nov 2018 at 11:48, [REDACTED]

Thanks for your time just now, much appreciated.

As discussed, please take this email as confirmation that we are happy to agree to all of the conditions proposed in respect of the ground floor application. If you could confirm to licensing that your representation is agreed on that basis, that would be great.

In terms of the 7th floor, we are happy to agree all conditions save for:

1. 'No alcohol or glass containers shall be on the balcony after 20:00.'
2. 'Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.'

In terms of point 1, as discussed, we do understand the concerns re: the use of the balcony. However, we are happy to restrict further to ensure that the balcony is not used at all, if we can agree the timing at 21:00. I would suggest wording as follows:

‘The balcony shall not be accessible to customers after 21:00 daily.’

I would suggest that this is reasonable in the context of the small size of the proposed premises, and the area, given, as I mentioned, that there are several external areas (e.g. The Refinery, Dockyard, Scene, Slug & Lettuce) which are permitted to trade until at least 23:00 daily.

In terms of point 2, as discussed, I have no particular problem with this condition if you did want it to be added, I’m just not sure it’s necessary as we’ve applied for the sale of alcohol for consumption on the premises only, and therefore it would not be permissible for it to be taken beyond the red line area.

Hope that helps to clarify matters, and I do hope that these proposals will address your concerns.

I look forward to hearing from you soon.

Kind regards,

A solid black rectangular box used to redact the sender's name and signature.

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
<p><u>A) The Prevention of Crime and Disorder</u></p> <ol style="list-style-type: none"> 1. The premises shall only be accessible to members of the co-working space located in the XYZ building or to persons attending pre-scheduled events. 2. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally. 3. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request. 4. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player. 5. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request. 6. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment, to be carried out by the DPS. When employed, door staff will wear high visibility armbands. 7. When employed, a register of those door staff employed shall be maintained at the premises and shall include: <ol style="list-style-type: none"> (i) the number of door staff on duty; (ii) the identity of each member of door staff; (iii) the times the door staff are on duty. 8. Open containers of alcohol shall not be removed from the premises. 9. Staff will be trained in the requirements of the Licensing Act 2003 with regard to the licensing objectives, the laws relating to under age sales, and the laws relating to the sale of alcohol to intoxicated persons and that training shall be documented and repeated at 6 monthly intervals. 10. A refusals book will be maintained at the premises, and made available to an officer of a responsible authority upon request. <p><u>B) Public Safety</u></p> <ol style="list-style-type: none"> 1. A first aid box will be available at the premises at all times. 	N/A	Applicant

Schedule of Licence Conditions

<ol style="list-style-type: none"> 2. Regular safety checks shall be carried out by staff. 3. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations. 4. The premises shall maintain an Incident Log and public liability insurance. 		
<p><u>C) The Prevention of Public Nuisance</u></p> <ol style="list-style-type: none"> 1. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises. 2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. 3. The exterior of the building shall be cleared of litter at regular intervals. 4. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner. 5. A Dispersal Policy will be implemented and adhered to (see attached). 6. The emptying of bins into skips, and refuse collections will not take place between 11pm and 8am. 		
<p><u>D) The Protection of Children From Harm</u></p> <ol style="list-style-type: none"> 1. A "Challenge 21" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 21. The only acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram. 2. Staff training will include the Challenge 21 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months. 3. Notices advising what forms of ID are acceptable must be displayed. 4. Notices must be displayed in prominent positions indicating that the Challenge 21 policy is in force. 		

Schedule of Licence Conditions

Additional Conditions proposed or agreed between parties	Agreed	Relevant party
<ol style="list-style-type: none"> 1. The mobile bar shall not be located or used on the balcony at any time 2. Alcohol shall not be made available via self-service 3. There shall be a documented Smoking Policy drawn up by the DPS and implemented at the premises 	Yes	Licensing and Out of Hours
<ol style="list-style-type: none"> 1. The balcony shall not be accessible to customers after 21:00. 2. No speakers shall be mounted externally 3. Balcony doors shall remain closed after 20.00 except for ingress and egress 4. The telephone number of the DPS or premises manager shall be provided to the management team/concierge of the Left Bank Apartments 5. The DPS or premises manager shall attend any local residents meetings if requested to do so. 	Yes	Licensing and Out of Hours; Resident 3
<ol style="list-style-type: none"> 1. No smoking shall be permitted at the premises 	Yes	Resident 3

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

Document is Restricted

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