



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 244951
Name: Smithfield Market Tavern
Address: 37 Swan Street, Manchester, M4 5JZ
Ward: Piccadilly
Application Type: Premises Licence variation
Name of Applicant: James Lee Darcey
Date of application: 4 March 2020

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 to be granted

1. Amend the activity the **Sale by retail of alcohol** to allow consumption of alcohol both on and off the premises. The hours for this activity have not been amended and are to remain as per the current licence
2. The removal of condition 2 of Annex 3 'Polycarbonate glasses shall be used in the beer garden at all times'.

Representations received

Licensing & Out of Hours
Compliance (LOOH)

LOOH objected to the variation application, based on the grounds that the application undermined the licensing objectives the prevention of crime and disorder and the prevention of public nuisance. LOOH had concerns that the removal of alcohol from the premises, in open containers, would result in crime and disorder and public nuisance.

Agreements between parties

The following condition has been agreed between LOOH and the applicant:

1. All Sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

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