



Licensing & Out of Hours Compliance Team - Representation

Name	Gemma Hunt
Job Title	Licensing & Out of Hours Compliance Officer
Department	Licensing & Out of Hours Compliance Team
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Premise Details

Application Ref No	283890
Name of Premises	Beilul Lounge
Address	First Floor And Second Floor, 100 Wilmslow Road, Manchester, M14 5AJ

Representation

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

The Licensing & Out of Hours (LOOH) Team have assessed the application for a new Premises Licence taking into consideration the four Licensing Objectives, trading history at the premises, including ongoing investigations for offences under the Licensing Act 2003 & Health Act 2006.

The premises was previously granted a licence on the 13th July 2018 in the name of [REDACTED]. The information we have received is that [REDACTED], the named Designated Premises Supervisor (DPS) for this application & partner of the proposed Premises Licence Holder (PLH), has owned the business since December 2019 but failed to transfer the licence. A check on business rates identifies 'Beilul Lounge East African Restaurant' as liable for the payments from 21st January 2020. Companies house identifies this company as being incorporated on the 23rd October 2019 & [REDACTED] is named as the sole director.

A review application was submitted by the LOOH team in February 2022 due to [REDACTED] continuously operating well outside of permitted hours, continuously breaching conditions of the licence and in addition to the S136 licensing offences the applicants continuously sold & allowed shisha to be smoked on the premises, an offence under the Health Act 2006.

Before the review application could be heard the licence was surrendered by [REDACTED]. A transfer was then submitted to resurrect the licence & to appoint [REDACTED]. This subsequently received a Police objection. At the transfer hearing the applicant [REDACTED] withdrew the application & the licence lapsed again on the 22nd April 2022.

On the 23rd December 2022 LOOH officers visited the premises to assess the new premises licence application and requested to see the 2nd floor room

which is proposed to be licensed. Officers spoke to a female who was working behind the counter who advised officers she was 'just helping out'. The female called [REDACTED] & then advised officers [REDACTED] strongly told her that officers could not view the 2nd floor or any other areas of the premises.

On the 6th January 2023 LOOH officers viewed the website for the premises. Officers viewed the takeaway section & noted several alcoholic drinks for sale. Officers were able to create an account, add alcohol to the basket & proceed to checkout for the goods. LOOH officers returned to the premises the same date to view the areas which were proposed to be licensed & to investigate the offence of S136, S137 & S138 of the Licensing Act 2003 due to the advertisement of alcohol sales via the website. After entering the premises officers noted a pot at the top of the stairs to the first floor with 2 x lit coals.

The door to the 2nd floor was propped open & the female chef on duty allowed officers to enter the top floor. On entry officers could see there was a large set up of shisha pipes behind the bar/ counter.

Evidence of recent use in the premises were found as follows:

- 2 x smoke detectors covered with foil.
- 2 x empty fruit/ tobacco mixed tubs under the counter next to 2 x bags of shisha tobacco.
- By the sink were several clay pots that had been washed & left to dry.
- Two metal trays were present with partly used charcoal.
- Boxes of charcoal & foil.

As officers believe offences had been committed under the Health Act 2006, 1 x shisha pipe & 1 x box of charcoal were seized as evidence into the investigation for the offence.

Halfway down the last (back) flight of stairs were two bags of refuse, inside one of these bags were multiple empty bottles of Budweiser.

Officers returned to the first floor and asked to look behind the bar. Officers found the following:

- A menu offering several alcoholic drinks.
- 3 x Heineken 50 litre barrels. 1 x empty, 1 x full & 1 x connected to a tap which had been covered over with a black bag. The tap was cold to touch. Officers poured a small amount & noted it was fresh smelling and pouring clearly.
- 6 x empty bottles of Zibib.
- Bottles of partly used Tequila, Gordons Gin & Zibib.
- A can of San Miguel in the fridge.

The proposed PLH & DPS are currently under investigation for the offences and PACE interviews will be taking place in due course.

The food hygiene rating for the premises is currently a 0/5.

[REDACTED] the proposed DPS, has continuously misled officers & demonstrated a very poor understanding of the licensing objectives, with a wilful disregard of his responsibilities under the Licensing Act 2003 & Health Act 2006. The LOOH team have no faith that the premises can operate without the licensing objectives being seriously undermined.

Recommendation:

Refuse Application

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

ABOUT YOU		PLEASE NOTE: LICENSING OFFICERS, LICENSING COMMITTEE MEMBERS AND THE APPLICANT CAN VIEW THE INFORMATION PROVIDED ON THIS FORM
Your first name (required)	Your last name (required)	
Bernard	McMenamin	
Your address including postcode (required)		
Trading Standards Service 1 Hammerstone Road Manchester M18 8EQ		
Contact email address	Contact phone no	
Bernard.McMenamin@manchester.gov.uk	0161 234 1589	

ABOUT THE PREMISES
Application Ref No. (if known):
LPA 283890
Name of the Premises about which you would like to make a representation:
Beilul Lounge
Address of the Premises (including postcode if known):
First Floor, 100 Wilmslow Road, Manchester, M14 5AJ

YOUR REPRESENTATION
Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)
<p>The Trading Standards Team have assessed the likely impact of the granting of this application taking into account a number of factors, including the conditions offered and times applied for and any potential risk that the granting of this application could lead to issues which do not uphold the licensing objectives specifically the protection of children from harm.</p> <p>The application is for a restaurant and lounge.</p> <p>When considering the application, the Trading Standards Team have given consideration to Manchester City Councils Statement of Licensing Policy 2021 – 2026.</p> <p>The original application addresses little in relation to the Licensing Objectives especially in protecting children from harm. Reference is made to the Challenge 25 policy, staff training and acceptable I.D used in the application but there are no details of how staff training is conducted, documented, or refreshed. There is no reference to maintaining a refusal log, having appropriate signage placed in areas where alcohol will be served as well as referencing proxy sales.</p> <p>The conditions that have been offered are very vague and generic which gives the impression that the applicant has a limited understanding of the Licensing Objectives, which raises concerns about how the premises will be operated. This is further supported by fact that the Manchester City Council Licensing and Out of Hours team visited the premises on 6th January 2023 and found evidence of unlicensed activity and</p>

breaches of smoking legislation.

Giving consideration to the above application, the Trading Standards Team therefore recommend that the licence is **refused** as the Trading Standards team have little faith that the licensing objectives will be met.

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

GREATER MANCHESTER POLICE - REPRESENTATION

About You

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

About the Premises

Application Reference No.	283890
Name of the Applicant	Beilul Lounge
Address of the Applicant including postcode	First Floor, 100 Wilmslow Road, Manchester M14 5AJ

Your Representation

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

The proposed DPS in this application is a male called [REDACTED] who has been the operator of the premises since 2019 and the premise was the subject of review application instigated by Manchester City Council Licensing and Out of Hours team in February 2022, when the applicant for this application, Ms. Regeat Negasi, was also involved in the running of the business. This was due to numerous offences which have been committed on the premises including the period whilst [REDACTED] and Regeat Negasi were in charge.

The offences which triggered the review include;

- Unauthorised licensable activities
- Breaches of conditions
- Selling shisha & allowing it to be smoked on the premises, including by staff whilst behind the bar
- premises continuously operating well outside of permitted hours

GMP are also aware that officers from the Manchester City Council Licensing and Out of Hours team visited the premises on 6th January 2023 and found evidence of unlicensed activity and breaches of smoking legislation.

Therefore, it is abundantly clear that the operators have learned no lessons since the licence was surrendered prior to the review hearing last year and as such GMP believe that they are wholly unsuitable to hold a premise licence and ask this application to be refused.