

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)	
Sonia	Cooke	
Your address including postcode (required)		
Trading Standards Service 1 Hammerstone Road Manchester M18 8EQ		
Contact email address	Contact phone no	
sonia.cooke@manchester.gov.uk	0161 219 2803	

ABOUT THE PREMISES
Application Ref No. (if known):
LPA 289087
Name of the Premises about which you would like to make a representation:
Sweet!
Address of the Premises (including postcode if known):
9 Stevenson Square, Manchester, M1 1DB

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 premises licence to allow the retail sale of alcohol and Ice cream tops containing alcohol, for consumption on the premises, and within the pavement licence area.</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 most points relating to the Licensing Objectives in protecting children from harm.</p> <p>Giving consideration to the above application, the Trading Standards Team therefore recommend that the following condition is applied to the licence:</p>

1. All staff engaged in the sale of alcohol will be trained with regards to the Challenge 25 policy and sales by proxy. This training will be documented, and training should be refreshed at no greater than 6 monthly Intervals.

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.)

Licensing & Out of Hours Compliance Team - Representation

Name	Gemma Smith
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	Gemma.smith2@manchester.gov.uk
Telephone Number	0161 234 1220

Premises details

Application ref no.	289087
Name of Premises	Sweet!
Address	9 Stevenson Square, Manchester, M1 1DB

Representation

The Licensing and Out of Hours Team (LOOHT) have assessed the likely impact of the grant of this application considering several factors, including the hours and activities applied for, the nature of the area in which the premises is located and any potential risk that granting the application could have on any of the four licensing objectives.

As a result of this assessment the Licensing and Out of Hours Team (LOOHT) have concerns that the grant of the application, in its current form, is likely to lead to the Prevention of Crime and Disorder and the Prevention of Public Nuisance Licensing objectives being undermined.

In reaching this decision we have given particular consideration to Manchester City Councils Statement of Licensing Policy 2021 – 2026. Specifically:

7.25 The licensing authority will ensure that due consideration is given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises as well.

7.26 The authority will give particular consideration to measures proposed in the application in relation to prevent nuisance.

The premises is located on Stevenson Square within the Northern Quarter district of the city centre. There are primarily commercial properties nearby and a number of late-night alcohol led, licensed premises in close proximity.

The premises are currently operating as a sweet treats and ice cream emporium. The new licence application proposes the sale of alcohol for consumption both on and off the premises Monday to Sunday 0900 to 0000. The premises will be open to the public Monday to Sunday 0800 to 0030.

The plan submitted with the application seeks to include two areas in front of the premises, on the pavement and on the pedestrianised area within Stevenson Square as part of the licensed area. The proposed licensable area exceeds the extent of the boundary of the premises and does not form part of the building, with the proposal including areas of public highway. Therefore a Pavement Licence would require the submission and grant of either a Pavement Licence under The Business and Planning Act 2010, or a Tables and Chairs Licence under the Highways Act 1980 to allow the premises to utilise the area.

The applicant has proposed the following condition:

- Alcoholic drinks may not be removed from the premises in open containers except for consumption in the hotel bedrooms or designated external areas.

LOOH are concerned that this appears to be an administrative error made within the offered condition, as the applicant has not made any reference to operating the business as a hotel.

There are no proposed steps in the application around dealing with conflict management and drunk customers. Staff may be required to deal with intoxicated and aggressive customers as part of their duties and so relevant training must be in place. Also, records of all training relating to responsible alcohol service, managing and resolving conflict must be made available upon request by a responsible authority.

Moreover, there are no measures in place to guarantee that the premises and surrounding area is kept clean and free of litter. With the inclusion of the supply of alcohol for consumption on the premises it is probable that this licensable activity could give rise to litter being dropped in the vicinity of the premises e.g. cigarette ends.

Furthermore, where SIA registered door supervisors are employed, we would expect the premises to maintain a register to ensure all identities of door staff on shift can be verified and we would expect that the register it is made available upon request by a responsible authority.

For the above reasons LOOH recommend that the new licence application is refused in its current form.

Recommendation: Refuse application in its current form.

From: [REDACTED]

Sent: 11 July 2023 14:59

To: Premises Licensing <Premises.Licensing@manchester.gov.uk>; Gemma Smith <gemma.smith2@manchester.gov.uk>

Subject: RE: New Lic Act 2003 - Sweet! 9 Stevenson Square - 289087 (QUA19/3)

Dear Sirs

We refer to the Licensing Out of Hours Team representation upon which we have obtained our clients instructions.

Firstly, they are correct in that there is no hotel accommodation in respect of this premises.

Secondly, with regard to that proposed conditions we would suggest that it is amended to:

“Alcoholic drinks may not be removed from the premises in open containers except for consumption in the designated external areas.”

Our clients have confirmed that they undertake training in relation to conflict management and customers and such training records are retained.

Furthermore, that the issues raised as points of concern are covered off in their existing operation of other sites and could be adopted to this premises.

We would therefore propose that the following conditions be added to the operating schedule and we would be grateful if the Licensing Out of Hours Team could confirm if this will provide sufficient promotion of the licensing objectives for their representation to be withdrawn.

1. Alcoholic drinks may not be removed from the premises in open containers except for consumption in the designated external areas.
2. The Designated Premises Supervisor will maintain a register of all persons engaged as door and security staff. The register will include the following details:
 - a. The registration number and name of that person.
 - b. The date and time which he or she commences duty.
 - c. The time and date when he or she finishes the period of duty.
 - d. The register shall be kept on site and be available for inspection by an authorised Officer of the Responsible Authority.
 - e. The register shall be retained for a period of 12 months.
3. It is noted that concerns are raised regarding the presence of litter at the conclusion of the trading period. By condition 2 under public safety requirements to avoid the same arising we have been proposed as follows:

“At the end of trading the Pavement Licence area and front of the premises outside the premises must be swept and/or washed and litter and sweepings collected and stored in waste recepticals.”

This could be expanded so as to incorporate the immediate vicinity of the premises.

4. Condition 1 under public safety to be amended so as to recite as follows:

“Staff will be trained on matters of safety, evacuation and use of emergency equipment as required along with Challenge 25, conflict management and refusal of service to a drunk. Such training shall be recorded and be available upon the request of Officers of the Responsible Authorities. Training records shall be retained for a period of 12 months.

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

From: Gemma Smith <gemma.smith2@manchester.gov.uk>
Sent: 14 July 2023 16:48
To: [REDACTED]
Cc: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: New Lic Act 2003 - Sweet! 9 Stevenson Square - 289087 (QUA19/3)

Dear [REDACTED]

Thank you for your response, LOOH would be in agreement to the amendments and inclusion of the following conditions:

1. Alcoholic drinks shall not be removed from the premises in open containers except for consumption in the designated external areas.

2. The Designated Premises Supervisor shall maintain a register of all persons engaged as door and security staff. The register will include the following details:
 - a. The registration number and name of that person.
 - b. The date and time which he or she commences duty.
 - c. The time and date when he or she finishes the period of duty.
 - d. The register shall be kept on site and be available for inspection by an authorised Officer of the Responsible Authority.
 - e. The register shall be retained for a period of 12 months.

3. At the end of trading the pavement licence area and immediate surrounding area shall be swept and/or washed and litter and sweepings collected and stored in waste receptacles.

4. Condition 1 under public safety to be amended so as to recite as follows:

“Staff shall be trained on matters of safety, evacuation and use of emergency equipment as required along with Challenge 25, conflict management and refusal of service to a drunk person. Such training shall be recorded and be available upon the request of Officers of the Responsible Authorities. Training records shall be retained for a period of 12 months.

However, within our representation reference was made to the proposed plan of the premises, and the suggested licensable area. As detailed with our representation the application seeks to incorporate two areas in front of the premises which would include an area on the pavement, and on the pedestrianised area within Stevenson Square.

These two areas do not fall within the extent of the boundary of the premises or form part of the building. The external areas proposed fall within the public highway and would require the submission and grant of either, a Pavement Licence under The Business and Planning Act 2010, or a Tables and Chairs Licence under the Highways Act 1980 to allow the premises to utilise these areas.

Considering the above Licensing & Out of Hours request that the plan is amended to omit these areas from the premises licensable area and plan.

Kind regards,
Gemma

Gemma Smith
Licensing & Out of Hours Officer

Licensing & Out of Hours
The Neighbourhoods Service
Growth and Neighbourhoods Directorate
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