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TRAFFORD
COUNCIL

AGENDA PAPERS FOR LICENSING SUB-COMMITTEE

Date: Thursday, 22 August 2019

Time: 6.30 pm

**Place: Council Chamber, Trafford Town Hall, Talbot Road, Stretford,
Manchester, M32 0TH**

A G E N D A	PART I	Pages
1.	ATTENDANCES	
	To note attendances, including Officers and any apologies for absence.	
2.	APPLICATIONS WITH ALL PARTY AGREEMENT (STANDING ITEM)	
	To receive an update on applications where all parties have reached agreement and to decide, in each case, whether to:	
	Agree that a hearing is not necessary and determine to grant the licence and attach the agreed conditions: or	
	Agree that a hearing will be necessary with all the parties present.	
3.	APPLICATION FOR THE GRANT OF A PREMISES LICENCE - MY INDIA STREET FOOD LIMITED	
	To consider the report of the Head of Regulatory Services.	1 - 64
4.	URGENT BUSINESS (IF ANY)	
	Any other item or items which by reason of special circumstances (to be specified) the Chairman of the meeting is of the opinion should be considered at this meeting as a matter of urgency.	

SARA TODD
Chief Executive

Membership of the Committee

Councillors D. Butt, A. Duffield and S. Thomas.

Further Information

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

Mrs Ruth Worsley, Democratic & Scrutiny Officer
Tel: 0161 912 2798
Email: ruth.worsley@trafford.gov.uk

This agenda was issued on **Wednesday, 14 August 2019** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall; Talbot Road, Stretford, Manchester, M32 0TH

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TRAFFORD COUNCIL

Report to: Licensing Sub-Committee
Date: 22 August 2019
Report for: Decision: Determination of Application
Report of: Head of Regulatory Services

Report Title

**APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER S17
LICENSING ACT 2003**

Summary

Under S18(4) of the Licensing Act 2003, Members are requested to determine an application for a new premises licence in respect of **My India Street Food, 3-5 Barton Road, Stretford M32 9FA** having regard to representations received and the requirement to promote the four licensing objectives.

Recommendation(s)

The following options are open to the Licensing Sub-Committee;

- (i) To grant the application in full and on the terms and conditions contained within the application to include any applicable mandatory conditions.
- (ii) To grant the application as above, modified to such an extent as considered necessary to satisfy any relevant representations and promote the licensing objectives; or
- (iii) To reject the application.

Contact person for access to background papers and further information:

Name: Keiran Hinchliffe, Senior Licensing Officer.
Extension: 2593

Background Papers: None.

Appendices: A) Application for a New Premises Licence
B) Representations

2.0 APPLICATION

2.1 A premises licence is required in respect of any premises where it is intended to conduct one or more of the four licensable activities, these being:

- The sale of alcohol
- The supply of alcohol (in respect of a club)
- Regulated entertainment
- The provision of late night refreshment

This application was submitted by My India Street Food Limited, in respect of **3-5 Barton Road, Stretford M32 9FA**

2.2 The licensable activity applied for is as follows:

Supply of Alcohol
Mon-Sun 11:00-23:00hrs

Opening Hours
Mon-Sun 07:00-23:00hrs

3 The applicant has also detailed Recorded Music from 08:00-23:00hrs, however this would fall into the deregulation from the Live Music Act 2012.

3.1 The application has been properly made and all procedures correctly followed. The application has been attached as **Appendix A**.

3.0 BACKGROUND AND HISTORY OF PREMISES

3.1 The premises is not currently licensed. It is situated in a mainly residential area.

4.0 OPERATING SCHEDULE

4.1 The operating schedule is completed by the applicant and contains additional measures to illustrate how they propose to promote the four licensing objectives as required by provision of the Licensing Act 2003.

The measures proposed by the applicant are listed below and will be attached as conditions to any licence as may be granted. Conditions have been highlighted in bold italics for the avoidance of doubt.

4.2 ***The premises shall install and maintain a CCTV system as per the minimum requirements of the Police Licensing Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.***

- 4.3 A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.**
- 4.4 There shall be no self-service of alcohol on the premises.**
- 4.5 All alcohol consumed at the premises shall only be by customers who are seated.**
- 4.6 The supply of alcohol shall only be by waiter or waitress service or via a counter sale whereby customers will be seated immediately after making their purchase.**
- 4.7 An incident log shall be kept at the premises, and made available on request to an authorised officer of the City council or the Police, which will record the following:**
- a) all crimes reported to the venue;**
 - b) All ejections of patrons;**
 - c) Any complaints received;**
 - d) Any incidents of disorder;**
 - e) Seizure of drugs or offensive weapons;**
 - f) Any faults in the CCTV system or searching equipment or scanning equipment;**
 - g) Any refusal of the sale of alcohol;**
 - h) Any visit by a relevant authority or emergency service.**
- 4.8 The supply of alcohol (on-sales) shall only be to persons taking table meals there for consumption by such persons as ancillary to their meal.**
- 4.9 All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.**
- 4.10 Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a takeaway meal.**
- 4.11 Alcohol shall not be sold to diners who appear drunk.**
- 4.12 A proof of age scheme, such as Challenge 25 shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.**
- 4.13 Before the premises open to the public, the plans as deposited will be checked by the Licensing Authority to ensure that they are an accurate reflection of the premises as constructed. Where there are minor changes to the layout of the premises during the course of construction new plans shall be provided to the Licensing Authority and the Licensing Authority shall be attached to this licence in substitution of the existing plans, at which time this condition shall be removed from the licence.**

5.0 STATEMENT OF LICENSING POLICY

5.1 The following extracts from the Council's statement of licensing policy are brought to the general attention of members:

5.2 (1.8) Every application considered by the Council under this policy will be considered on its merits, and regard will be given to the Guidance issued under Section 182 of the Licensing Act 2003 and any supporting regulations..

5.3 (1.9) Nothing in the policy will undermine the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act. Appropriate weight will be given to all relevant representations. This will not include those that are frivolous, vexatious or repetitious.

5.4 (1.12) The licensing process can only seek to control those measures within the control of the licensee, and 'in the vicinity' of a premises. The conditions attached to various authorisations will, therefore, be consistent with operating schedules and will mainly focus on:

- Matters within the control of individual licensees and others who are granted any relevant authorisations;
- The premises and places being used for licensable activities and their vicinity; and
- The direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

5.5 (5.6) When considering applications for later closing times in respect of premises licences, where relevant representations have been made, the Council will take the following into consideration in accordance with Government Guidance:

- Whether the premises is located in a predominately commercial area
- The nature of the proposed activities to be provided at the premises
- Whether there are any arrangements to ensure adequate availability of taxis and private hire vehicles and appropriate places for picking up and setting down passengers
- Whether there is an appropriate amount of car parking, readily accessible to the premises, and in places where the parking and use of vehicles will not cause demonstrable adverse impact to local residents
- Whether operating schedule indicates that the applicant is taking appropriate steps to comply with the licensing objective of preventing public nuisance
- Whether the licensed activity, particularly if located in areas of the highest levels of recorded crime, may result in a reduction or increase in crime and anti-social behaviour
- Whether the licensed activities are likely to cause adverse impact especially on local residents, and whether, if there is a potential to cause adverse impact, appropriate measures will be put in place to prevent it
- Whether there will be any increase in the cumulative adverse impact from these or similar activities, on an adjacent residential area
- Any representations from a responsible authority or interested party that identify the premises as a focus for disorder and disturbance.

- 5.6** (5.8) As far as premises in residential areas are concerned, these may be subject to stricter controls with regard to opening hours to ensure that disturbance to local residents is minimised. The Council considers that it is self-evident that the risk of disturbance to local residents is greater when licensable activities continue late at night and into the early hours of the morning. For example the risk of residents' sleep being disturbed by patrons leaving licensed premises is obviously greater at 2 a.m. than at 11 p.m. It is, therefore, the policy of the Council to strike a fair balance between the benefits to a community of a licensed venue and the risk of disturbance to local residents. In predominantly residential areas, therefore, it may not be appropriate to allow closing times later than midnight. It may be acceptable to open later on a limited number of occasions, for example up to 15 times a year. This would allow licensees to extend opening beyond midnight for special occasions such as New Year. However, every application will be determined on its merits, and applicants wishing to operate beyond midnight will need to demonstrate to the satisfaction of the Council, in their operating schedule, that there will be no significant disturbance to members of the public living, working or otherwise engaged in normal activity around the premises concerned. This policy is aimed at the fulfilment of the licensing objective of "prevention of public nuisance".
- 5.7** (6.4) Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained with the intention of preventing crime and disorder. Such measures may include:
- The capability of the person who is in charge of the premises during trading hours or when Regulated Entertainment is provided to effectively and responsibly manage and supervise the premises, including associated open areas
 - The steps taken or to be taken to ensure that appropriate instruction, training and supervision is given to those employed or engaged in the premises to prevent incidents of crime and disorder, and where appropriate any relevant qualifications.
 - The measures taken or to be taken to raise staff awareness and discourage and prevent the use or supply of illegal drugs on the premises
 - The features currently in place or planned for physical security at the premises, such as lighting outside the premises
 - Policies adopted to meet appropriate best practice in accordance with existing guidance (e.g. Home Office: Selling Alcohol Responsibly, Safer Clubbing, the National Alcohol Harm Reduction Strategy Toolkit and other recognised codes of practice, e.g. British Beer and Pub Association Partnerships Initiative.
 - Any appropriate additional measures taken or to be taken for the prevention of violence or public disorder.
- 5.8** (6.7) Where additional measures have been identified as likely to have an impact on the prevention of crime and disorder at any premises, the Council would expect applicants to detail such measures to be taken in their operating schedules. Such measures may include:
- Provision of effective CCTV with recording facilities both within and outside certain premises

- Crime prevention design, including adequate lighting and supervision of car parks
- Metal detection and search facilities
- Procedures for risk assessing promotions and events such as 'happy hours' for the potential to cause crime and disorder, and plans for minimising such risks
- Measures to prevent the use or supply of illegal drugs
- Employment of Security Industry Authority licensed door supervisors and other appropriately trained staff
- Participation in an appropriate Pubwatch Scheme or other similar scheme
- Promotion of safe drinking
- The control of glass and the provision of plastic containers or toughened glass
- Use of radio net system (where available)
- Provisions for dealing with prostitution or indecency
- Provisions for discouraging drinking in public places in the vicinity of the premises
- Policies on dress and music
- Appropriate additional staff training.

5.9 (6.8) All premises applying for licensing beyond 00:00hrs must demonstrate that its customers will be capable of leaving the area without causing a disruption to local residents or impact upon crime and disorder. For example, where appropriate and relevant an assessment of the availability of late night transport, and the likely flow of pedestrian traffic away from the premises, could be included in the operating schedule.

5.10 (6.10) Where either prescribed and/or premises-related conditions have not been adhered to in the past, the Council will expect applicants to have considered and taken action to rectify those issues. Applications are likely to be refused where there are significant outstanding issues.

5.11 (7.5) In considering applications, the Council will expect to see evidence that the applicant has identified matters that impact on the likelihood of public nuisance and that these matters have been addressed in the operating schedule. Such measures may include:

- Measures taken or proposed to be taken to prevent noise and vibration escaping from the premises or in the immediate vicinity of the premises and including any outside areas (including smoking areas) bearing in mind the location of premises and proximity to residential and other noise sensitive premises (e.g. hospitals, hospices and places of worship); This would include music, ventilation equipment noise and human voices, whether or not amplified;
- Measures taken or proposed for management and supervision of the premises and associated open areas to minimise unreasonable disturbance by customers and staff arriving or departing from the premises and delivery of goods and services.
- Control of opening hours for all or part (e.g. garden areas) of the premises

- Measures taken to control light to ensure that it does not stray outside the boundary of the premises such as to give rise to problems to residents in the vicinity
 - Steps taken to lessen the impact of parking in the local vicinity
 - Measures taken to prevent someone who has consumed excess alcohol from entering the premises and to manage individuals on the premises who have consumed excess alcohol
 - Management arrangements for collection and disposal of litter and refuse, and the control of pests
 - Arrangements for ensuring that adequate and suitably maintained sanitary provision and washing facilities are provided for the number of people expected to attend any premises or events
 - A 'wind down time' after the last service of alcohol, during which time the venue may offer for sale non-alcohol beverages
 - A 'last admission time' policy
 - Management arrangements for any proposed use of bonfires, fireworks and other pyrotechnics.
- 5.12** (11.7) Standardised conditions will be avoided, although 'pools of conditions' will be used from which necessary and proportionate conditions may be drawn in particular circumstances.
- 5.13** (11.8) Conditions attached to licenses and certificates will be tailored as appropriate to reflect the individual style and characteristics of the premises and events concerned.
- 5.14** (11.9) Conditions will not be imposed which are beyond the responsibility or control of the licence holder.
- 5.15** (14.1) "Cumulative impact" means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. For example, the potential impact on crime and disorder or public nuisance on a Town Centre of a large concentration of licensed premises in that part of the local authority licensing area. In certain circumstances the number, type and density of premises selling alcohol for consumption on the premises may be such that there are serious problems of nuisance and disorder arising or beginning to arise outside or some distance from licensed premises. It is possible that the impact on surrounding areas of the behavior of the customers of all premises taken together is greater in these circumstances than the usual impact from customers of individual premises.
- 5.16** (14.4) When such a special saturation policy is adopted, each application will still be considered properly and on their own individual merit, and licences and certificates that are unlikely to add to the cumulative impact on the licensing objectives will be granted. Following receipt of representations in respect of a new application for or a variation of a licence or certificate, the Council will consider whether it would be justified in departing from the special policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. It will be for the Council to show that the grant of the application would undermine the promotion of one of the licensing objectives and if it would, that necessary conditions would be ineffective in preventing the problems involved.

5.17 (14.5) In considering such applications the Committee will have particular regard to:

- The occupancy figure for the proposed premises.
- The proximity of the premises to others in the Area licensed for similar activities and the occupancy figures for those other premises.
- Whether the proposed premises will act as a replacement for others in the Area that no longer have a licence.
- The proposed methods of management outlined in the applicant's operational plan.
- The proposed hours of operation.
- Transport provision for the Area.

6.0 CONSULTATION

6.1 The responsible authorities included in consultation are; Licensing, Greater Manchester Police, Greater Manchester Fire & Rescue, Environmental Health & Pollution Control, Building Control, Health and Safety Team, Home Office Immigration Enforcement, Planning Department, Safeguarding Children Team, Trading Standards and Public Health.

6.2 Of those consultees identified in paragraph 6.2, there has been one valid representation from a Responsible Authority: the Environmental Health Pollution Control Authority. This representation is concerned with odour and noise.

6.3 A further representation has been submitted by an Other Person. This representation is concerned with public nuisance such as smoking outside the premises, noise nuisance, litter and the premises location near a primary school.

The representations in full have been attached as **Appendix B**.

6.4 A copy of the report and all representations received have been sent to the applicant.

6.5 Those that have made representations have been informed of the time and date of the Licensing Sub-Committee meeting and have been informed of their right to attend.

7.0 LEGAL CONSIDERATIONS

7.1 Conditions may only be attached to a Premises Licence where they are deemed appropriate for the promotion of the licensing objectives. They must be proportionate and not duplicate any existing provisions contained in other legislation. The justification behind a refusal or the attachment of conditions must be given to the applicant.

- 7.2** The Sub-Committee is advised that any findings on any issues of fact should be on the balance of probabilities and any decision should be based on the individual merits of the application.
- 7.3** The Sub-Committee, in arriving at its decision; must have regard to relevant provisions of national guidance and its own statement of licensing policy and reasons should be given for any departure.
- 7.4** There is a right of appeal to the Magistrates Court within 21 days from the date the Applicant is notified of the decision of the Licensing Sub-Committee.

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17 JUN 2019

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 My India Street Food 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 3-5 Barton Road Stretford			
Post town	Manchester	Postcode	M32 9FA
Telephone number at premises (if any)	07980 604253		
Non-domestic rateable value of premises	£0.00		

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) |

Year	Area	Value
1970
1971
1972
1973
1974
1975
1976
1977
1978
1979
1980

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

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

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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



SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name My India Street Food Limited
Address 7 Rendel Close Stretford Manchester M32 0SX
Registered number (where applicable) 11967870
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company

Telephone number (if any)

07980 604253

E-mail address (optional)

myindiastreetfood@gmail.com

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	1	07
2	0	1
9		

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)

My India Street Food Limited will be trading as Indian Street Food Cafe. The Cafe will serve mainly fast food and seating will be available for customers. The cafe will serve alcohol in plastic cups to accompany the fast food. We intend to serve more soft drinks than alcohol however will offer the option of beer and spirits. Beer will be served in half pints and shots in no more than double shots with a mixer. These will also be served in plastic cups.

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

N/A

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place <u>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"/>	

Date	Description

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	

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	

Date	Description

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>

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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
	08:00	23:00		Both	<input type="checkbox"/>
	08:00	23:00			
	08:00	23:00			
	08:00	23:00			
	08:00	23:00			
	08:00	23:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance 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"/>	

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish		Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>

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"/>	

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for <u>consumption – please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
	11:00	23:00		Both	<input checked="" type="checkbox"/>
	11:00	23:00			
	11:00	23:00			
	11:00	23:00			
	11:00	23:00			
	11:00	23:00			
	11:00	23:00			
	11:00	23:00			

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 Gurdedar Singh	
Date of birth ██████████	
Address ██████████ ██████████ ██████████ Manchester	
Postcode	██████████
Personal licence number (if known) ██████████	
Issuing licensing authority (if known) ██████████	

Date	Description

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).

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	
	7:00	23:00	
	7:00	23:00	
	7:00	23:00	
	7:00	23:00	
	7:00	23:00	
	7:00	23:00	
	7:00	23:00	
	7:00	23:00	

Date	Description

My India Street Food Limited

Operating Schedule

1. The premises shall install and maintain a CCTV system as per the minimum requirements of the Police Licensing Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
3. There shall be no self-service of alcohol on the premises.
4. All alcohol consumed at the premises shall only be by customers who are seated.
5. The supply of alcohol shall only be by waiter or waitress service or via a counter sale whereby customers will be seated immediately after making their purchase.
6. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - a. all crimes reported to the venue;
 - b. all ejections of patrons;
 - c. any complaints received;
 - d. any incidents of disorder;
 - e. seizures of drugs or offensive weapons;
 - f. any faults in the CCTV system or searching equipment or scanning equipment;
 - g. any refusal of the sale of alcohol;
 - h. any visit by a relevant authority or emergency service.
7. The supply of alcohol (on-sales) shall only be to persons taking table meals there for consumption by such persons as ancillary to their meal.
8. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

9. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.
10. Alcohol shall not be sold to diners who appear drunk.
11. A proof of age scheme, such as Challenge 25 shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
12. Before the premises open to the public, the plans as deposited will be checked by the Licensing Authority to ensure they are an accurate reflection of the premises as constructed. Where there are minor changes to the layout of the premises during the course of construction new plans shall be provided to the Licensing Authority and the Licensing Authority and shall be attached to this licence in substitution of the existing plans, at which time this condition shall be removed from the license.

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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 the attached document "Operating Schedule"

b) The prevention of crime and disorder

Please see the attached document "Operating Schedule"

c) Public safety

Please see the attached document "Operating Schedule"

d) The prevention of public nuisance

Please see the attached document "Operating Schedule"

e) The protection of children from harm

Please see the attached document "Operating Schedule"

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Checklist:

Please tick to indicate agreement

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

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


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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or
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	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	12/06/2019.
Capacity	Director

~~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) Gurparkash Singh 7 Rendel Close Stretford			
Post town	Manchester	Postcode	M32 0SX
Telephone number (if any)	07980 604253		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) myindiastreetfood@gmail.com			

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Consent of individual to being specified as premises supervisor

Gurdedar Singh
[full name of prospective premises supervisor]

of

[home address of prospective premises supervisor]

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

Premises Licence _____

[type of application]

by

My India Street Food Limited _____

[name of applicant]

relating to a premises licence N/A no existing licence _____
[number of existing licence, if any]

for

3-5 Barton Road
Stretford
Manchester
M32 9FA _____

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

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

My India Street Food Limited

[name of applicant]

concerning the supply of alcohol at

3-5 Barton Road

Stretford

Manchester

M32 9FA

[name and address of premises to which application relates]

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

Personal licence number

[REDACTED]

[insert personal licence number, if any]

Personal licence issuing authority

[REDACTED]

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

Signed

[REDACTED SIGNATURE]

Name (please print)

GURDEOAR SINGH

Date

10/6/19



DECLARATION :

Agreement to inclusion of Conditions on Operating Schedule

RE : 3-5 Barton Road, Stretford, Manchester
M32 9FA
(insert premises name / address)

I / We My India Street Food Limited
(insert applicant name / company name / authorised signatory)

are in agreement that any of/or all of the conditions at Section M and/or Section 18 of the premises licence application may be placed as conditions upon granting of the licence.

Signed : 
.....

Dated : 10/06/2019
.....

Hinchliffe, Keiran

From: Leah Ainsworth [REDACTED]
Sent: 24 June 2019 23:20
To: Licensing
Subject: New Premises Licence Application - PL072927 - My India Street Food Limited - Representation Objection

Attachments: Licensing Notification.jpg

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Licensing Act 2003 - General

Good Evening

I have struggled to find the full details for this as your Licence Register only has the reference number and not actual application details and note that your policy for Applications for premises licences states that they must be advertised in one of the following local newspapers Messenger Newspaper or Manchester Evening News and I understand that on at least one occasion during the period of 10 working days starting on the day after the day on which the application was given to the relevant licensing authority (The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005) I know they still have a couple of days to do this and will keep checking but as yet I cant find any compliance with this.

I have managed to get a copy of the summary application information from the premises as attached.

I understand that an application for a premises licence under section 17, or a club premises certificate under section 71, shall be accompanied by a plan of the premises to which the application relates, as there are no documents or attachments on your Licence Register can you advise how do I get a copy ?

This property has a freeholder and also another interested party that holds an underlease, I can't make out the legislation, do these people need to be notified and give permission ?

As an interested party I am the owner Mrs Leah Ainsworth of 7 Barton Road, Stretford M32 9FA (next door) and I am making formal representation (objection) in relation to a licence application and submitting an objection to this premises licence. My grounds / reasons are

The premises is a converted terraced property with two currently occupied residential houses next door either side and a residential flat above the property, I believe that by granting a Premises Licence to allow the sale of alcohol (on & off) and recorded music (regulated entertainment) to My India Street Food 3-5 Barton Road Stretford M32 9FA that it will

Create noise (not from disorder) impacting generally on neighbours in the evening and past the children residing in the properties bedtime thus causing a public nuisance. I do not believe that they have had sound-proofing or noise-limiting devices installed at the property and as the premises are within an old building, that was not designed to contain modern levels of sound and vibration, therefore the noise will inevitably escape from the premises and affect all bordering neighbours.

Increased noise and possible disorder is commonly related to premises with a licence to sell alcohol on & off the premises and along with the delivery of regulated entertainment and due to the location of this property to residential homes there are reasonable grounds to assume it will have an impact on the wellbeing of the residents particularly the primary aged children living above premises and also next door which could cause them harm from lack of sleep especially as the request is for 7 days opening.

It is accepted that along with a premises that has people attending and consuming food and alcohol that some users will go just outside the premises to smoke and vape, this will again cause an increase in noise and given the location a public nuisance as people could easily view into neighbouring properties and those properties if they wanted to have the window open could hear adult conversation and have smoke drift into the premises and that could place the child at harm from exposure to inappropriate language, subject matter and smoke.

The premises is within 0.2 miles of a St Matthews C of E Primary school and also the Stretford Children's Centre both are substantially used by or for children under 16 years of age; this is also on the access route to both these establishments:

There is likely to be a public nuisance caused by the creation of additional litter in the area and given the size of the unit and that I cant see a plan also am worried about the provision toilets and the possible increase in public urination under the influence of alcohol.

I am happy to make my representations in public and understand that all I have detailed above can be shared and have no objection to this.

Leah Ainsworth

Hinchliffe, Keiran

From: Hall, Rachael
Sent: 29 July 2019 11:43
To: Hinchliffe, Keiran
Subject: NEW Premises Licence Application - LA0159/19 My India Street Food, 3-5 Barton Road, Stretford, M32 9FA

Dear Licensing Team,

Please see below my consultation response in respect of the above application. My response relates to the licensing objective for the prevention of public nuisance.

The information below describes how we understand the business to be currently operating:

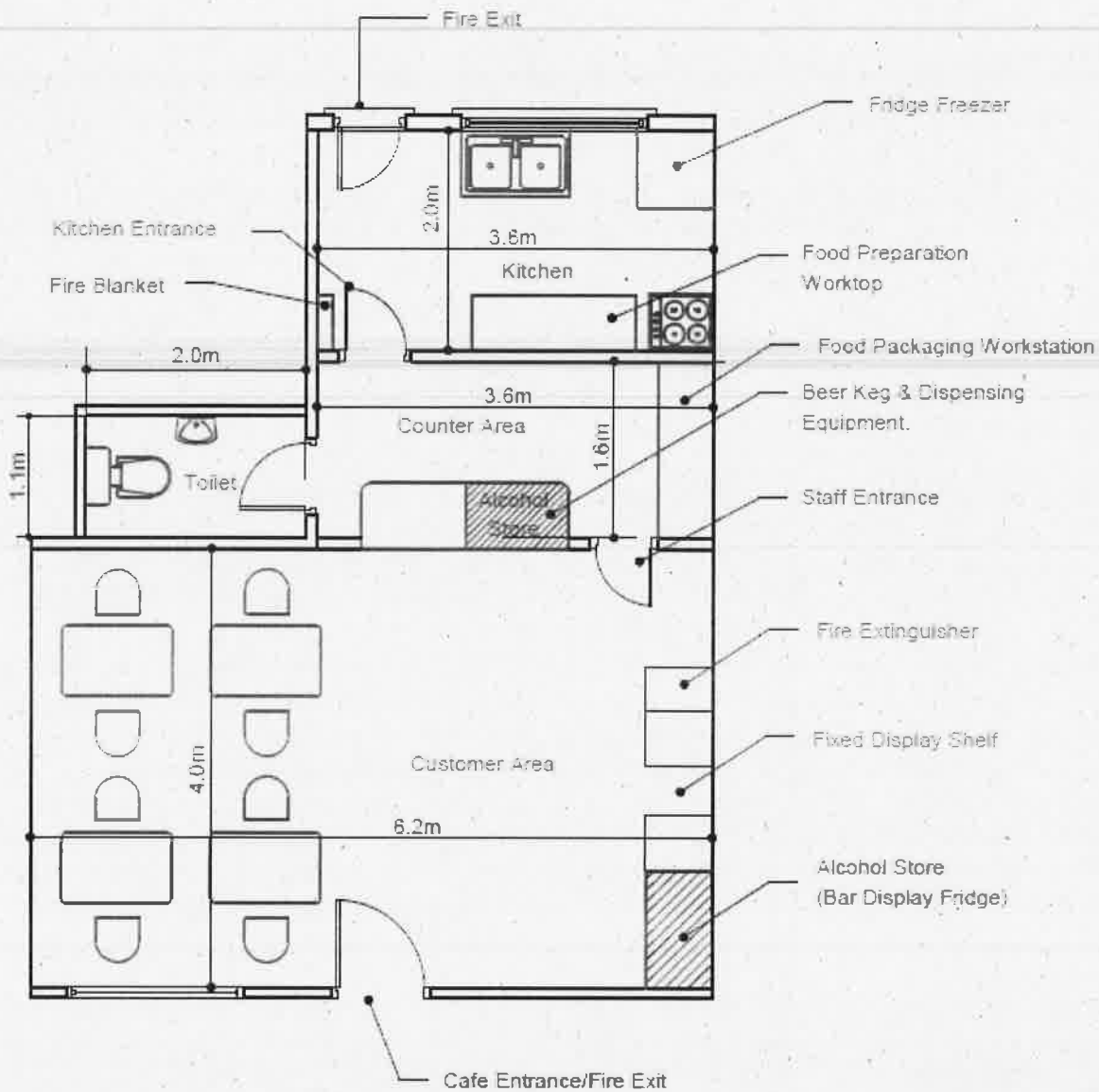
A food hygiene inspection was carried out on 23rd July 2019 by the Council. This revealed that curries and other dishes are being prepared and cooked in batches during the morning period and then cooled and later reheated as portions to order. Samosas and spring rolls are also fried to order.

There are 4 small tables with 8 chairs in the customer area. Trade is almost entirely takeaway at the moment with just odd customers sitting in to eat their food. The current opening times are 9am-5pm, with most trade taking place at lunchtime. They have said that they hope to open for evening trade if they get their alcohol licence. They already have the Kingfisher draught beer tap in place but are awaiting the outcome of their licence application.

The kitchen is small with one oven and a microwave. There is no ventilation hood over the oven, just a wall fan leading to the back yard area. The back doors of the neighbouring domestic properties are in close proximity to the extractor fan and rear door of the commercial property. They informed our Environmental Health Officer that they will be installing a more substantial ventilation system in the next couple of weeks, no details were provided.

This application seeks opening hours of 0700-2300; sale of alcohol 0800-2300hrs and recorded music 0800-2300hrs.

Plan provided by applicant:



ODOUR

This service has received a complaint about food odours emanating from the premises. The complainant has explained that pungent curry type odours are being emitted via a wall vent at My India which is directly adjacent to the rear of the adjacent domestic property. It is alleged that this odour is clearly identifiable within the neighbouring residential property and particularly strong outside within the neighbour's outdoor amenity space, which is also used to dry washing.

There is no commercial extraction system or flue and so there is little potential for dispersion of food odours. If this Premises licence were to be granted up until 2300 hrs, the potential for odour to impact neighbours would be extended into the late evening period thereby affecting residents when they are expecting to relax and enjoy their homes/amenity space.

This is not to suggest that installation of a flue in this location would be permitted in any case. Full details would need to be submitted as a planning application.

NOISE

Operation of My India at the times indicated in the application 0800-2300 hrs would introduce the potential for noise disturbance during the evening period. It is understood that historically, businesses at this address have never operated at this time. Existence of a café/takeaway brings pedestrian and vehicle activity close to nearby residential neighbours. Customers dining in at the café would have to stand/sit at the front façade to smoke as there is no other designated smoking area. This introduces an additional potential noise source at a sensitive time during the late evening period when residents (particularly children) may be attempting to get to sleep. For this reason I am unable to recommend approval of this request; I am not confident that dis-amenity or nuisance will not occur.

The applicant has applied for recorded music 0800-2300 all days. Approval would naturally consent DJ and Karaoke performance. There is no information available in respect of whether any acoustic insulation has been installed, either vertically at the commercial/residential boundary or horizontally in relation to the residential unit located above the application site.

If planning approval for this development were to be sought, a Noise Impact Assessment would be requested to examine the potential for noise transmission and make recommendations for remedial works where necessary. In the absence of this information I am unable to recommend a grant of the licence in this respect.

PLANNING STATUS

The Council's Planning Enforcement team have liaised with the applicant in respect of Planning issues and on the information received by the owner during the inspection it was understood that the premises would operate as an A3 café/restaurant unit. As the previous use of the premises appears to have been for a shop and café there is a case that an A3 use may be the lawful planning use and as such a certificate of lawful use was invited. However if the unit is operating mainly for takeaway this would change the use class of the premises to A5, for which a formal planning application would be required. At this time planning officers cannot fully be assured of the planning use class and we will continue to investigate the matter, especially considering the information below.

In summary, my concerns are that there are outstanding issues with Planning Development that need to be resolved. The matters to be considered are critical to the operation of the business at this location and should be determined in advance of any Licensing decision.

Regards,

Rachael Hall
Environmental Health Officer
Pollution and Housing Team
Regulatory Services
Place Directorate

Trafford Council,
Trafford Town Hall,
Talbot Road,
Stretford M32 0TH
Tel: 0161 912 4599
Email: rachael.hall@trafford.gov.uk

Trafford Council is a well-performing, low-cost council delivering excellent services to make Trafford a great place to live, learn, work, and relax. You can find out more about us by visiting www.trafford.gov.uk.

From: Pickup, Jade **On Behalf Of** Licensing

Sent: 01 July 2019 07:57

To: 'Darren Heathcote'; Environmental Health; Environmental Protection; 'Home Office (Immigration Enforcement)'; Jackson, Philip; 'Karen.Packer@gmp.police.uk'; Development Management (Planning); Roaf, Eleanor; Safeguarding Children Team; Trading Standards; 'Trafford.PartnershipTeam@gmp.police.uk'

Cc: 'Gurparkash Singh'; Boyle, Joanne; Fenton, Oliver; Haddad, Anna; Hinchliffe, Keiran; Simmons, Gareth

Subject: ELECTRONIC SERVICE – NEW Premises Licence Application - LA0159/19

Good Morning,

Date amendment

Attached is your copy of a New Premises Licence application for My India Street Food, 3-5 Barton Road, Stretford, M32 9FA

Application received : **01st July 2019**

End of consultation : **29th July 2019**

Yours sincerely,

Jade Pickup

Jade Pickup

Licensing Officer

Place Directorate - Regulatory Services

Trafford Town Hall

Talbot Road

Stretford

M32 0TH.

Telephone: 0161 912 4242