



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 19 April 2021

Time: 10.00 am

Venue: Dial: 033 3113 3058    Room number: 37978770 #  
PIN: 2991 #

This is a second **supplementary agenda** containing additional information about the business of the meeting that was not available when the agenda was published.

**The Local Authorities and Police and Crime Panels (Coronavirus)  
(Flexibility of Local Authority and Police and Crime Panel Meetings)  
(England and Wales) Regulations 2020.**

Under the provisions of these regulations the location where a meeting is held can include reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers. This meeting is by way of a telephone conference. You can listen to the call as it takes place, the number of people able to listen to the live call is limited to 90.

## **Membership of the Licensing Sub Committee Hearing Panel**

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**Councillors** - Grimshaw (Deputy Chair), Jeavons and Reid

## Supplementary Agenda

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**1. Urgent Business**

3 - 40

To consider any items which the Chair has agreed to have submitted as urgent.

## Further Information

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

Ian Hinton-Smith  
Tel: 0161 234 3043  
Email: [i.hintonsmith@manchester.gov.uk](mailto:i.hintonsmith@manchester.gov.uk)

This supplementary agenda was issued on **Friday, 16 April 2021** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

## Manchester City Council Report for Resolution

Report to: Licensing Subcommittee Hearing Panel – 19 April 2021

Subject: South Night Club, 4a South King Street, Manchester, M2 6DQ –  
ref: LTN256984

Report of: Director of Planning, Building Control & Licensing

### Summary

Submission of a temporary event notice where an objection notice has been given.

### Recommendations

That the Panel consider the objection notice(s) and give a counter notice where it considers it appropriate.

**Ward 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	An effective licensing system supports and enables growth and employment in

work.	our City with neighbourhoods that provide amenities suitable to the surrounding communities.
A connected city: world class infrastructure and connectivity to drive growth	

**Full details are in the body of the report, along with any implications for:**

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

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**Financial Consequences – Revenue** None

**Financial Consequences – Capital** None

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**Contact Officers:**

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

Name: Helen Howden  
Position: Technical Licensing Officer  
Telephone: 0161 234 4294  
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
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

## 1. **Introduction**

- 1.1 On 8 April 2021, a temporary event notice (TEN) was given under s100A of the Licensing Act 2003 in respect of South Night Club, 4a South King Street, Manchester, M2 6DQ in the Deansgate ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 In accordance with Licensing Act 2003 regulations, Greater Manchester Police (GMP) and Licensing Out of Hours Compliance (LOOH) were notified of the TEN.
- 1.3 Where either GMP or LOOH is satisfied that allowing the premises to be used in accordance with the TEN would undermine a licensing objective, they must give an objection notice to the relevant licensing authority, the premises user, and to every other relevant person.
- 1.4 The objection notice must be given no later than three working days after the day on which the objector is given the TEN.
- 1.5 An objection notice has been received in respect of this TEN and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

## 2. **The Notice**

- 2.1 A copy of the TEN is attached at **Appendix 2**.
- 2.2 The premises user is Mr Joseph Finegan.
- 2.3 The description of the event is: A ticket only music event. The event will be staffed with adequate security as well as welfare officers to ensure customer safety and well-being throughout the event as well as after the event for egress making sure everyone gets home safely.
  - 2.3.1 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 TEN.
  - 2.3.2 Any further details provided relating to any of the individual licensable activities are specified on the TEN at **Appendix 2**.
  - 2.3.3 The premises is subject to a premises licence issued under the Licensing Act 2003. A copy of the licence is included at **Appendix 4**.
- 2.4 **Activities unsuitable for children**
  - 2.4.1 The premises user 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. **Objection Notice**

- 3.1 An objection notice was received from GMP in respect of the TEN (**Appendix 3**). The personal details of all members of the public have been redacted. An original copy of the objection will be available to the Panel at the hearing.
- 3.2 Summary of the objections:

Party	Grounds of representation	Recommends
<b>GMP</b>	<p>The TEN states:</p> <p>“The premises have applied to remain open selling alcohol from 10pm on 7th August 2021 until 8am the following morning.</p> <p>This would mean it was open far later than any other premises in the area and is therefore likely to attract people without tickets to try and gain entry when other nearby premise close. This in turn could lead to flashpoints on the door at a time when the GMP weekend night time economy operation has finished at 6am and the number of officers available is low.</p> <p>This weekend is also the weekend of the Manchester Caribbean Carnival and as such will already be one of the busiest in the GMP calendar, with resources stretched to the limit.</p> <p>If this TEN was granted it could cause issues at a time when there is scant police cover and would therefore likely lead to an undermining of the Licensing Objectives.”</p>	Serve a counter notice

### 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 for all parties involved in licensing. 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 how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.

- 4.5.4 Where the authority considers that to impose on the TEN one or more of the conditions from a premises licence or club premises certificate in force at the premises (insofar as such conditions are not inconsistent with the event) is appropriate for the promotion of the licensing objectives, the policy is to give notice to the premises user that includes a statement of the conditions imposed. Copies of this notice will be provided for GMP and LOOH.
- 4.5.5 Where, following any representations at the hearing, the licensing authority is not satisfied the event will ensure the promotion of the licensing objectives, the policy is to issue a counter-notice against the Temporary Event Notice.

## **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 objections that have been received from GMP or LOOH, 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 objection notice(s), the panel must give the premises user a counter notice if it considers it appropriate for the promotion of a licensing objective to do so.
- 5.4 If the panel decides not to give a counter notice the panel may impose one or more conditions on the TEN if –
- the authority considers it appropriate for the promotion of the licensing objectives to do so,
  - the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and
  - the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.
- 5.5 All licensing determinations should be considered on the individual merits of the notification.



- 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.
- 6. **The Panel is asked to determine the temporary event notice.**

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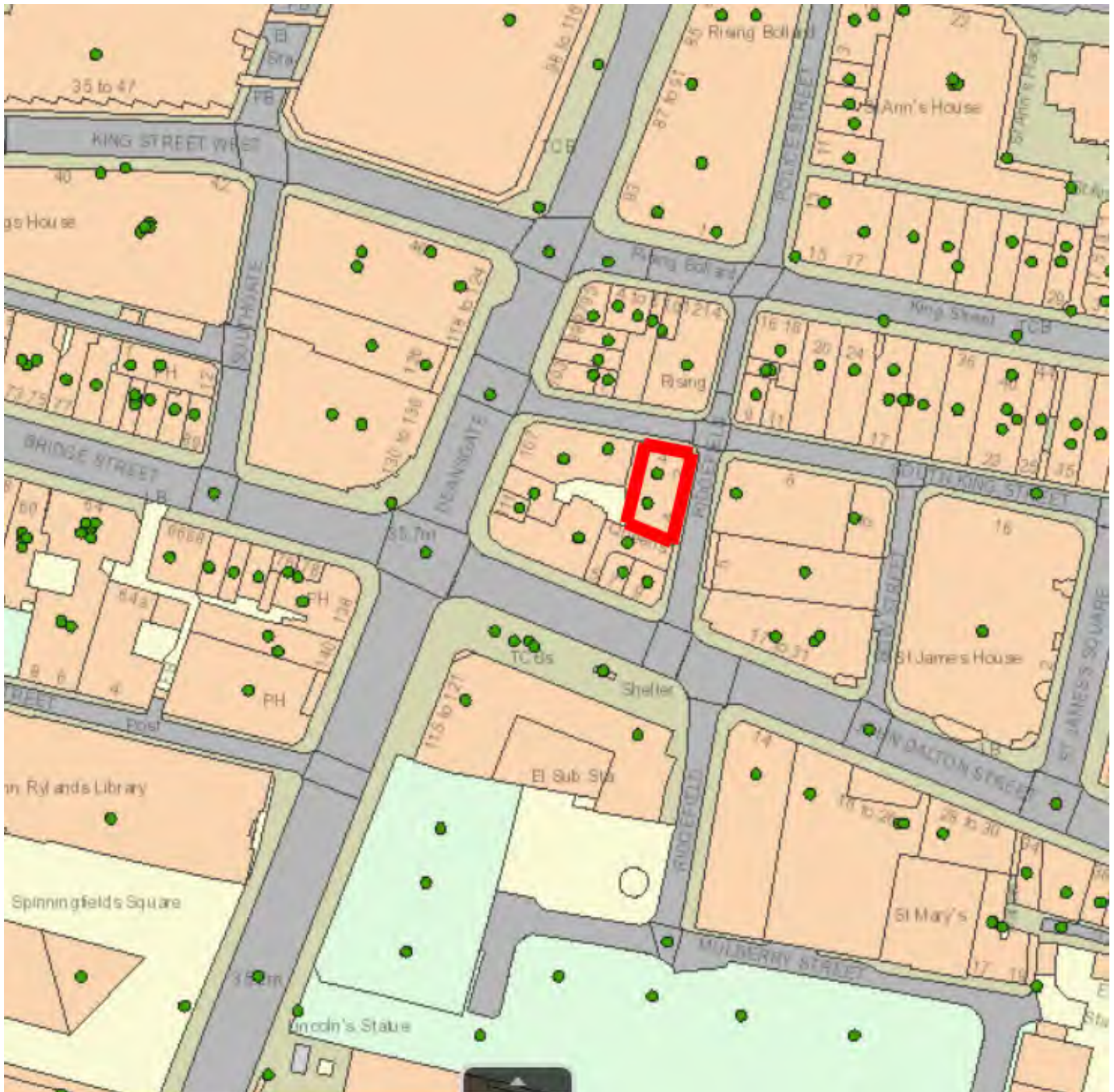


**PREMISE NAME:** South Night Club

**PREMISE ADDRESS:** 4a South King Street, Manchester, M2 6DQ

**WARD:** Deansgate

**HEARING DATE:** 19/04/2021



South Night Club  
4a South King Street, Manchester, M2 6DQ

Premises Licensing  
Manchester City Council

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of the Local Government Act 1972.

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# Temporary Event Notice

Payment Transaction number:- ASB/889499 | Form Reference number ASB/4150237

## Premises User Information

Title

Mr

If other please state

n/a

Surname

FINEGAN

Forenames

JOSEPH

Previous names (Please enter details of any previous names or maiden names, if applicable)

n/a

Your date of birth

Your place of birth

National Insurance Number

Your current address (We will use this address to correspond with you unless you complete the separate correspondence box)

Telephone

Evening telephone

n/a

Mobile phone

[REDACTED]

Fax number

n/a

Email address

[REDACTED]

Address

n/a

Telephone

n/a

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email

n/a

## Premises information

Please give the name and address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references)

South  
4A South King Street  
Manchester  
M2 6DQ



Premises licence number

130364

Club premises certificate number

n/a

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details.

n/a

Please describe the nature of the premises

Nightclub

Please describe the nature of the event

A ticket only music event. The event will be staffed with adequate security as well as welfare officers to ensure customer safety and well-being throughout the event as well as after the event for egress making sure everyone gets home safely.

Licensable activities

The sale by retail of alcohol

Yes

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

No

The provision of regulated entertainment

No

The provision of late night refreshment

Yes

Are you giving a late temporary event notice?

No

Please state the dates on which you intend to use these premises for licensable activities.

7/8/21 to 8/8/21

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock).

22:00 to 08:00

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers (maximum 499).

200

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both

On

Please state if the licensable activities will include the provision of relevant entertainment.

No

If yes selected, please state the times during the event period that you propose to provide relevant entertainment.

n/a

## Personal Licence Details

Do you currently hold a valid Personal Licence?

Yes

Issuing Authority

Manchester City Council

Licence Number

183687

Date of Issue

13/01/2016

Date of Expiry

N/A

Any further relevant details

n/a

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes

If answering yes, please state the number of temporary event notices you have given for events in that same calendar year

1

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your associate have given for events in the same calendar year

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

## Declaration and Payment New

Name

Joseph Finegan

Capacity in which you are making this application

Designated Premises Supervisor

## Additional information

I\_understand Yes

These are the files included with this application :-

Acknowledgement

I acknowledge receipt of this temporary event notice

Signature:

Helen Howard

On behalf of the Licensing Authority

Date: 08/04/2021

Name of officer signing: Helen Howden

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## GREATER MANCHESTER POLICE



To: Manchester City Council  
Licensing Unit  
Manchester Town Hall Extension  
Lloyd Street  
Manchester

To: [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

13<sup>th</sup> April 2021

Dear Sir

Please accept this letter as formal notification that Greater Manchester Police wish to object, under Section 104(2) of the Licensing Act 2003, to the **TEMPORARY EVENT NOTICE** detailed below, as we are satisfied that granting the application under these circumstances would undermine the Licensing Objectives.

<b>PREMISES NAME:</b>	<b>South</b>
<b>ADDRESS:</b>	4a South King Street Manchester M2 6DQ
<b>DATE OF EVENT:</b>	07/08/21-08/08/21
<b>TIME OF EVENT:</b>	2200 – 0800 hrs

GMP objects to the grant of this Temporary Event Notice on the grounds of the Prevention of Crime and Disorder, Public Safety and the Prevention of Public Nuisance.

The premises have applied to remain open selling alcohol from 10pm on 7<sup>th</sup> August 2021 until 8am the following morning.

This would mean it was open far later than any other premises in the area and is therefore likely to attract people without tickets to try and gain entry when other nearby premise close. This in turn could lead to flashpoints on the door at a time when the GMP weekend night time economy operation has finished at 6am and the number of officers available is low.

This weekend is also the weekend of the Manchester Caribbean Carnival and as such will already be one of the busiest in the GMP calendar, with resources stretched to the limit.

**GREATER MANCHESTER POLICE**

If this TEN was granted it could cause issues at a time when there is scant police cover and would therefore likely lead to an undermining of the Licensing Objectives.

As such we ask that this TEN application is refused.

Signed:.....PC 17659 Isherwood..... (rank/pin/name)

Date/Time 13th April 2021 0935 hrs

.....



# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	130364
Granted	23/09/2010
Latest version	Correction to license (addition of annex 2 and 3) issued 03/05/2019

### Part 1 - Premises details

<b>Name and address of premises</b>
<b>South Night Club</b> 4A South King Street, Manchester, M2 6DQ
<b>Telephone number</b> 0161 831 7756

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

<b>The times the licence authorises the carrying out of licensable activities</b>
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<b>Sale by retail of alcohol</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0900	0900	0900	0900	0900	0900	0900
Finish	0400	0400	0400	0400	0400	0400	0400
The sale of alcohol is licensed for consumption both on and off the premises.							
<b>Seasonal variations and Non standard Timings:</b>							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day							
On the day British Summer Time commences: one additional hour following the terminal hour.							
Friday & Saturday nights when Warehouse Project is in operation for after show party: Start 0900 Finish 0700.							

<b>Exhibition of films; Live music; Recorded music; Performances of dance; Anything similar to live music, recorded music or the performance of dance</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0900	0900	0900	0900	0900	0900	0900
Finish	0400	0400	0400	0400	0400	0400	0400
Licensed to take place indoors only.							
<b>Seasonal variations and Non standard Timings:</b>							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day							
On the day British Summer Time commences: one additional hour following the terminal hour.							
Friday & Saturday nights when Warehouse Project is in operation for after show party: Start 0900							
Finish 0730							

<b>Provision of late night refreshment</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0500	0500	0500	0500	0500	0500	0500
Licensed to take place indoors only.							
<b>Seasonal variations and Non standard Timings:</b>							
None							

<b>Hours premises are open to the public</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0900	0900	0900	0900	0900	0900	0900
Finish	0500	0500	0500	0500	0500	0500	0500
<b>Seasonal variations and Non standard Timings:</b>							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day							
On the day British Summer Time commences: one additional hour following the terminal hour.							
Friday & Saturday nights when Warehouse Project is in operation for after show party: Start 0900							
Finish 0730							

## Part 2

<b>Details of premises licence holder</b>	
<b>Name:</b>	South Ltd
<b>Address:</b>	21 Queens Road, Hale, Altrincham, WA15 9HE
<b>Registered number:</b>	02920637
<b>Details of designated premises supervisor where the premises licence authorises for the supply of alcohol</b>	
<b>Name:</b>	Joseph Finegan
<b>Address:</b>	INFORMATION REDACTED
<b>Personal Licence number:</b>	183687
<b>Issuing Authority:</b>	Manchester City 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: -
  - (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:
  - (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.

MCC licensing register copy

## Annex 2 – Conditions consistent with the operating schedule

1. CTV shall operate at the premises in the form of a recordable system. Cameras shall encompass all ingress and egress to and from the premises and all areas where the sale/ supply of alcohol occurs; The CCTV equipment shall be maintained in good working order correctly time and date stamped.; Recordings shall be kept in date order, numbered consequentially and kept for a period of 31 days and copies made available to Responsible authorities on reasonable request; The recording equipment and tapes shall be kept in a secure environment under the control of the DPS or other nominated responsible individual; Appropriate signage representative of the above shall be displayed in conspicuous position.
2. The premises shall employ from 2300 appropriate security, registered with the security industry authority to manage the door, minimise disorder and prevent drunken people from entering; a written record shall be kept on the premises by the designated premises supervisor of every person employed on the premises as a door supervisor 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.
3. There shall be a random search policy, and a notice to that effect to be displayed at the entrance of the premises.
4. No Glassware in the form of open bottles or glassware to be taken in or off the premises.
5. A Fire Risk Assessment shall be carried out in relation to the premises.
6. All external windows and doors shall be kept closed when regulated entertainment is being provided except for access and egress to and from the premises and/or in the event of an emergency.
7. The licence holder shall ensure that noise shall not emanate from the licensed premises such as to cause persons in the neighbourhood to be unreasonable disturbed- any form of amplification shall be so controlled by the licence holder so as to prevent such a disturbance.
8. The Challenge 21 scheme shall be operated at the premises, the only form of valid identification being a passport, photo driving licence or PASS hologram ID card.

## Annex 3 – Conditions attached after hearing by the licensing authority

1. All staff shall be trained with regards to the Challenge 21 policy and forms of acceptable ID. Staff shall also be trained to look out for and take action to prevent proxy sales taking place. This training shall be recorded in writing. Training shall be repeated on a regular basis and details of repeat training shall also be recorded in writing.
2. The premises shall display appropriate signage indicating that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.
3. The premises shall close for a minimum of 20 minutes between trading sessions where the terminal hour extends beyond the usual standard hours. (This closure time to be normally between 0215 and 0315 but may vary depending on off stage time of Warehouse Project headline act).
4. A drugs dog to be present on selected evenings where a risk assessment determines such use and robust search policy to be implemented for all after show events.
5. Taxi Marshall's shall be employed to monitor queuing on dispersal for after show guests.
6. All entries after 3am shall produce a Photo ID (passport or photo driving licence). The "Clubscan" system shall be used to record all entries for after show events. All after show events which are sold out, to be signed as such at the Warehouse Project and at the club entry point.
7. The numbers of tickets sold for each warehouse Project after show party shall be regularly relayed to



officers working at the Warehouse Project event.

8. To operate the dispersal policy lodged with the application for Warehouse Project after show party event.
9. Thirty minutes before the end of the time permitted for the provision of regulated entertainment in the nightclub, music levels shall be gradually reduced to a lower volume and tempo.
10. Notices shall be displayed at the exits from the premises requesting customers leave the area quickly and quietly.
11. Door supervisors shall request customers who are leaving to leave the area quickly and quietly.
12. Door staff shall supervise the outside area of the premises to prevent customers from congregating. Customers congregating shall be requested to move away quickly and quietly.

#### **Annex 4 – Plans**

See attached

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