



Licensing Sub Committee Hearing Panel

Date: Monday, 22 August 2022

Time: 10.00 am

Venue: Council Antechamber, Level 2, Town Hall Extension

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

Access to the Council Antechamber

Public access to the Council Antechamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension

There is no public access from any other entrance of the Extension.

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Connolly, Andrews and Hassan

Supplementary Agenda

1. Urgent Business

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

1c. Urgent Business - Temporary Event Notice - Zaranda, 1 Lapwing Lane, Manchester, M20 2NT

3 - 42

The report of the Director of Planning, Building Control and Licensing is enclosed.

Further Information

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

Ian Smith
Tel: 0161 234 3043
Email: ian.hinton-smith@manchester.gov.uk

This supplementary agenda was issued on **Thursday, 18 August 2022** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

Manchester City Council Report for Resolution

Report to: Licensing Sub-Committee Hearing Panel – 22 August 2022

Subject: Zaranda, 1 Lapwing Lane, Manchester, M20 2NT - ref: LTN279064

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.

Wards Affected: Didsbury West

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 work.	An effective licensing system supports and enables growth and employment in 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

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Name: Bryan Johnson
 Position: Technical Licensing Officer
 Telephone: 0161 234 1248
 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 12th August 2022, a temporary event notice (TEN) was given under s100A of the Licensing Act 2003 in respect of Zaranda, 1 Lapwing Lane, Manchester, M20 2NT in the Didsbury West 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 Mark Tucker.
- 2.3 The description of the event is: 'DJ Event August Bank Holiday 2022'.
- 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(s)**

- 3.1 An objection notice was received from LOOH in respect of the TEN (**Appendix 3**). The personal details of all members of the public have been

redacted. Original copies of these objections will be available to the Panel at the hearing.

3.2 Summary of the objection/s:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	<p>A representation has been served against the notice on the grounds of repeated incidents of noise disturbance emanating from the premises at highly antisocial times of the day in a highly noise sensitive residential area.</p> <p>Despite repeated visits to the premises by LOOH Officers (in response to reports by local residents of noise nuisance and disturbance from the premises, as a consequence of extended operating hours granted via previous Temporary Event Notices, and on other recorded occasions) the premises has continued to allow serious noise breakout to occur at the premises.</p> <p>LOOH are currently investigating the premises in regard to the repeated noise disturbance issues and believes that the granting of the notice would only serve to enable the premises to further breach and undermine the Four Licensing Objectives and to allow further noise disturbance to adversely affect those persons residing in close proximity to the premises.</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.



Zaranda
1 Lapwing Lane, Manchester, M20 2NT

Premises Licensing
Manchester City Council

© Crown copyright and database rights 2018. Ordnance
Survey100019568.



PREMISE NAME:	Zaranda
PREMISE ADDRESS:	1 Lapwing Lane, Manchester, M20 2NT
WARD:	Didsbury West
HEARING DATE:	22 nd August 2022

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

Temporary Event Notice

Payment Transaction number:- SSES00421689 | Form Reference number EF1/528588

Premises User Information

Title

Mr

If other please state

Lancashire

Surname

tucker

Forenames

mark

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

tucker

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

n/a

Fax number

n/a

Email address

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)

Zaranda
1 lapwing lane
M20 2NT

Premises licence number

n/a

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

bar and prems

Please describe the nature of the event

bank holiday dj

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

No

Are you giving a late temporary event notice?

n/a

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

29/08/22

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

00.00 -02.00

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).

125

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

n/a

Licence Number

n/a

Date of Issue

n/a

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

3

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?

Yes

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?

Yes

Declaration and Payment New

Name

mark tucker

Capacity in which you are making this application

owner

Additional information

I_understand

Yes

These are the files included with this application :-

Acknowledgement

I acknowledge receipt of this temporary event notice

Signature:

On behalf of the Licensing Authority

Date:

Name of officer signing:

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank


**MANCHESTER
CITY COUNCIL**
Licensing & Out of Hours Compliance Team - Representation

Name	Tracy Griffiths
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	[REDACTED]
Telephone Number	[REDACTED]

Premise Details

Application Ref No's	279064
Name of Premises	Zaranda
Address	1 Lapwing Lane, Manchester, M20 2NT

Representation

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

The Licensing and Out of Hours Team (LOOHT) in our capacity of an Environmental Health Responsible Authority have assessed the likely impact of the grant of this application taking into account a number of factors, including the nature of the area in which the premises is located, the hours applied for and any potential risk that the granting of the licence could have on the licensing objectives.

The applicant has submitted a Temporary Event Notice (TEN) to extend the terminal hours that the premises is permitted to carry out licensable activities until 02:00 on the 29th August 2022 (August Bank Holiday Monday). The premises is currently permitted to carry out the below licensable activities until 00:00, resulting in the extension of terminal hours by 2 hours.

1. The sale by retail of alcohol*.
2. The provision of regulated entertainment

The premises is situated on the corner of Lapwing Lane and Burton Road, West Didsbury and is in close proximity to a number of residential properties on Lapwing Lane, Burton Road and Cavendish Road. This is a noise sensitive area and LOOHT have recently received complaints due to excessively loud music emanating from the premises.

Officers also attended a noise nuisance call out on the 15th June 2022 and determined that the noise emanating from the premises as a result of loud music, to be a statutory nuisance at the time of the visit. As a result, the premises is currently undergoing a pre-review and officers are working with the premises to agree and introduce steps to eliminate any noise disturbance.

LOOHT have concerns that whilst a pre-review is ongoing, and given the recent complaints relating to noise disturbance, the grant of this application

would lead to a risk of causing a public nuisance, specifically due to the noise emanating from the premises (excessively loud music). The grant of this application would therefore likely undermine The Licensing Act 2003.

Furthermore, a similar TEN application for the premises (the extension of terminal hours) was previously submitted for events to be held on the 4th and 5th June 2022 (Jubilee Bank Holiday's), but were refused and ultimately withdrawn due to these concerns.

We therefore recommend that this Temporary Event Notice is refused.

Recommendation: Refuse Application

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	121265
Granted	16/07/2009
Latest version	Variation 214629 Granted 07/08/2018

Part 1 - Premises details

Name and address of premises
Zaranda 1 Lapwing Lane, Manchester, M20 2NT
Telephone number
0161 448 0101

Licensable activities authorised by the licence
<ol style="list-style-type: none"> 1. The sale by retail of alcohol*. 1. The provision of regulated entertainment, limited to: Recorded music. 2. The provision of late night refreshment. <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0000	0000	0000	0100	0200	0200	0000
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non-standard Timings:							
23 rd -27 th December inclusive: 1100 to 0200							
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 to disapply its effect.							

Recorded music							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0000	0000	0000	0100	0200	0200	0000
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
23 rd -27 th December inclusive: 1100 to 0200							
<u>New Year:</u> 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 to disapply its effect.							

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0030	0030	0030	0130	0230	0230	0030
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
23 rd -27 th December inclusive: 2300 to 0230							
New Year: From the start time on New Year's Eve to the terminal hour New Year's Day							
On the day British Summer Time commences: One additional hour to disapply its effect.							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0030	0030	0030	0130	0230	0230	0030
Seasonal variations and Non-standard Timings:							
23 rd -27 th December inclusive: 1100 to 0230							
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 to disapply its effect.							

Part 2

Details of premises licence holder	
Name:	One Lounge Limited
Address:	1 Lapwing Lane, Manchester, M20 2NT
Registered number:	05340338

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	Mark Tucker
Address:	[REDACTED]
Personal Licence number:	[REDACTED]
Issuing Authority:	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: - <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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) “value 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.

Annex 2 – Conditions consistent with the operating schedule

1. Strategically located closed circuit TV cameras shall be installed inside the premises. Recorded images shall be retained for 31 days and be available to the police upon request.
2. There shall be sufficient lighting internally and externally.
3. An appropriate level of security staff shall be employed at the premises to manage the door and minimise disorder.
4. The premises licence holder shall seek advice from the Crime Reduction Officer/City Centre Safe Officers.
5. A search policy shall be implemented, where considered necessary by management, to prevent drugs or offensive weapons being brought on to the premises.
6. Ongoing training shall be provided to staff to recognise drunkenness and refuse service to customers

who have consumed excessive alcohol, to handle potential troublemakers and diffuse difficult situations.

7. Public liability insurance shall be maintained for the premises.
8. A safety plan shall be implemented which covers fire safety inspections and maintenance.
9. There shall be ongoing staff training to include emergency procedures.
10. Fire extinguishers shall be regularly inspected and routinely maintained.
11. Effective fire safety precautions shall be implemented.
12. Effective evacuation procedures shall be developed and implemented.
13. All staff shall be trained in the safe handling of emergencies.
14. Emergency exits shall be maintained unlocked and clear at all times, both inside and outside.
15. Regular safety inspections shall be conducted.
16. The premises licence holder shall seek advice from the Fire Authority.
17. Telephone numbers for taxi firms shall be available and facilities provided for customers to order cabs.
18. An adequate number of litter bins shall be provided with clear signage and these shall be emptied on a regular basis.
19. Vermin proof bins shall be used at the premises.
20. Secure facilities shall be provided for empty glass containers.
21. Refuse shall be removed on a regular basis.
22. The premises licence holder shall seek advice from Environmental Health.
23. Children shall only be permitted into the premises when accompanied by an adult.
24. Prominent signage shall be displayed about the laws relating to children and alcohol.
25. Anyone who attempts to purchase alcohol and who appears to be under 18 shall be required to produce ID or a proof of age card.
26. It shall be clearly stated what forms of ID are acceptable and all staff shall be aware of this requirement.
27. Suitable ID includes: passport, photo card driving licence, citizen card.
28. Regular inspections shall be conducted by staff when persons under 18 are on the premises.
29. Customers shall be asked to leave the area in a responsible and quiet manner.
30. All windows and doors shall be kept closed, except for access and egress, whilst regulated entertainment is taking place.
31. The premises licence holder shall ensure that noise does not emanate from the Licensed Premises such as to cause noise nuisance to persons in the neighbourhood. Any form of amplification shall be so controlled by the premises licence holder so as to prevent such a disturbance.
32. The premises licence holder shall manage outdoor areas at least as effectively as those inside.
33. Staff shall avoid the emptying of bins into skips especially if they contain glass, and early refuse collections before 0800 hours and after 2200 hours.
34. A minimum of two SIA registered door staff shall be employed at the premises until 30 minutes after closing time on Friday and Saturday nights.
35. The premises shall operate the dispersal policy as agreed.
36. The premises shall provide a contact telephone number for local residents.
37. A member of the management shall attend meetings of the WDRA when permitted.

Annex 3 – Conditions attached after hearing by the licensing authority

Condition amended following hearing of 7th August 2018:

1. There shall be no admission or readmission to the premises of customers on Friday and Saturday

after 01:00 expect for readmission of smokers. Movement of smokers into and out of the premises after this time will be monitored by door staff.

Conditions added following hearing of 7th August 2018:

2. After 01:00 on Friday and Saturday no more than 10 persons shall be permitted outside the premises to smoke at any one time.
3. The behaviour of smokers outside the premises shall be monitored by staff and /or doorstaff (when employed) to ensure that customers are not causing a nuisance and are not blocking pedestrian access over the public highway.
4. Queues, when they form, shall be monitored by staff and/or doorstaff (when employed) to ensure that customers are not causing a nuisance and are not blocking pedestrian access over the public highway.

Annex 4 – Plans

See attached