



Licensing Sub Committee Hearing Panel

Date: Thursday, 22 September 2022

Time: 10.00 am

Venue: Council Antechamber, Level 2, Town Hall Extension

This is a **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 - Andrews, Hewitson and Riasat

Supplementary Agenda

4. **Temporary Event Notice - The Loft, 1 New Street, Manchester M40 8AW** 3 - 28
The report of the Director of Planning, Building Control and Licensing is now enclosed.

Further Information

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

Ian Smith
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This supplementary agenda was issued on **Wednesday, 14 September 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 September 2022

Subject: The Loft, 1 New Street, Manchester, M40 8AW - ref: LTN280035

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: Miles Platting & Newton Heath

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	
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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: Ashia Maqsood
 Position: Technical Licensing Officer
 Telephone: 0161 234 4139
 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 7 September 2022, a temporary event notice (TEN) was given under s100A of the Licensing Act 2003 in respect of The Loft, 1 New Street, Manchester, M40 8AW in the Miles Platting & Newton Heath 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 Oliver Ryder.
- 2.3 The description of the event is live music event.
- 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.
- 2.5 **Further documentation accompanying the application**
- 2.5.1 The premises user has not submitted any documents in support of the TEN.

3. **Objection Notice(s)**

3.1 An objection notice was received from LOOH in respect of the TEN (**Appendix 3**).

3.2 Summary of the objections:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	<p>LOOH objected to the TEN based on the grounds that the premises is located close to residential properties and the event will likely undermine the licensing objective the prevention of public nuisance.</p> <p>LOOH further state that they have observed anti-social behaviour from patrons exiting the premises causing nuisance to local residents.</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.**



PREMISE NAME:	The Loft
PREMISE ADDRESS:	1 New Street Manchester M40 8AW
WARD:	Miles Platting & Newton Heath
HEARING DATE:	22/09/2022

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Temporary Event Notice

Payment Transaction number:- SSES00445129 | Form Reference number EF1/556430

Premises User Information

Title

Mr

If other please state

n/a

Surname

Keenan Ryder

Forenames

Oliver

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

Keenan Ryder

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)

1 New Street, Manchester, M40 8AW

Premises licence number

248975

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

event space

Please describe the nature of the event

live music event

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

Yes

The provision of late night refreshment

No

Are you giving a late temporary event notice?

No

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

21.10.22

please see email attached at the end of the notice confirming the start date of the event as 20/10/2022

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

10pm-3am

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).

275

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

Salford City Council

Licence Number

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?

No

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

Oliver Keenan Ryder

Capacity in which you are making this application

Creative Director

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:

Re: Receipt of application

olli ryder [REDACTED]

Wed 07/09/2022 16:57

To: manchester@civicapayforms.co.uk <manchester@civicapayforms.co.uk>; Premises Licensing
<Premises.Licensing@manchester.gov.uk>

Hi there,

I've accidentally submitted the wrong date, would it be possible to amend it to Thursday 20th October, please?

On Wed, Sep 7, 2022 at 4:51 PM <manchester@civicapayforms.co.uk> wrote:

Thank you for your submission of a Temporary Event Notice received on 07 Sep 2022 15:51:36:9538 in respect of 1 New Street, Manchester, M40 8AW on 21.10.22.

For your records a copy of your TEN has been attached to this message. Please forward any supporting documentation (the premises licence, plan, etc) by e-mail to premises.licensing@manchester.gov.uk and ensure that the application to which the documentation relates is clearly outlined within the e-mail.

A copy of the TEN will be provided to Greater Manchester Police and the Council's Environmental Health team, who have 3 working days to object to the TEN, starting from the day after they received their copy.

If no objection is made, your event is authorised to proceed under the TEN.

If an objection is made against a 'standard' TEN, ie, where more than 10 working days notice of the event was given, a hearing will be held to determine the matter. You will be invited to attend and further information will be sent to you in advance of the hearing.

For a 'Late' TEN, ie, where between 5 and 9 working days notice of the event was given, we will issue a Counter Notice and you will not be authorised to carry out any licensable activities.

Tacit Consent does not apply for this application, see note below.

If you wish to make a complaint please contact us in the first instance (premises.licensing@manchester.gov.uk)

In the event of any further correspondence please quote the above reference number.

Note: in some circumstances, where an application is not processed within the advertised time, it is implied that the application has been consented to. Implied consent does not apply in certain situations where there is an overriding reason relating to the public interest. Implied consent does not apply in this instance for reasons relating to public interest and details are available upon request.

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**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

Name	Gemma Hunt
Job Title	Licensing & Out of Hours Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Hammerstone Road Depot, Gorton M18 8EQ
Email Address	gemma.hunt@manchester.gov.uk

Premise Details

Application Ref No	M280035
Name of Premises	The Loft
Address	1 New Street, Newton Heath M40 8AW

Representation

The Licensing & Out of Hours (LOOH) Team have risk assessed the Temporary Event Notice (TEN) taking into consideration the location of the premises and proximately to local residents, trading history, Manchester City Council's Statement of Licensing Policy (SLP) and the Four Licensing Objectives.

The premises are located in close proximity to Canada Street (less than 200m away). The residential streets home Army Veterans as well as families. The premises has recently been refused planning permission for the site (currently under appeal), one of the reasons cited as 'The Cultural Events Space creates increased noise, disturbance and activity in the surrounding area from comings and goings together with noise outbreak from the premises, at sensitive hours of the day, which would have an unduly harmful impact on residential amenity particularly residential properties along Canada Street and New Street'. Although planning and licensing are separate remits, these concerns overlap and are relevant to the Prevention of Public Nuisance Licensing Objective.

'S7.29 of the SLP states: The authority considers that later hours will typically be more sensitive and higher risk in causing problems.'

Having monitored the premises on weekends when the premises is permitted to trade until 5am, it was observed that whilst the majority of the customers walk towards Oldham Road on dispersal, there are still customers who walk towards Canada Street and create noise by talking/ shouting & banging car doors/ turning car radios on and beeping their horns. Of 275 potential patrons, it is inevitable that dispersal noise will disturb residents from 3am on the Friday morning, some of whom will be children getting up for school and people getting up for work.

S7.31 of the SLP states: 'It is recognised that in spite of the quality of the operation of the business, where patrons are out of the control of the licensee, the lateness of the terminal hour for the premises will often be a contributory factor in the potential for disturbance.'

Therefor the LOOH team believe that the current Premises Licence permitted for the premises authorising Alcohol sales until 11pm with 1 hour for dispersal on a Thursday night, is more than sufficient and the request for an extension by way of a TEN should be refused.

S7.32 of the SLP States: 'Therefore, where its discretion is engaged, the authority will be mindful of the density of residential use in proximity to the premises and the level of risk of nuisance arising. The authority expects that terminal hours will normally be earlier to promote the licensing objectives for licensed premises located in areas with a higher density of residential property.'

Recommendation:

Refuse Notice



MANCHESTER
CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	248975
Granted	12/10/2020
Latest version	Correction Issued 14/10/2020

Part 1 - Premises details

Name and address of premises
The Loft 1 New Street, Manchester, M40 8AW

Licensable activities authorised by the licence
<ol style="list-style-type: none"> 1. The sale by retail of alcohol*. 2. The provision of regulated entertainment, limited to: Performance of plays; Exhibition of films; Live music; Recorded music; Performances of dance; Anything similar to live music, recorded music or the performance of dance. 3. 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	1200	1200	1200	1200	1200	1200	1200
Finish	2300	2300	2300	2300	0400	0400	2300
The sale of alcohol is licensed for consumption on the premises only.							
Seasonal variations and Non-standard Timings:							
From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.							

Performance of plays; Exhibition of films; Live music; Recorded music; Performances of dance; Anything similar to live music, recorded music or the performance of dance							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1200	1200	1200	1200	1200	1200	1200
Finish	0000	0000	0000	0000	0500	0500	0000
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.							

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0000	0000	0000	0000	0500	0500	0000
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1200	1200	1200	1200	1200	1200	1200
Finish	0000	0000	0000	0000	0500	0500	0000
Seasonal variations and Non-standard Timings:							
From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.							

Part 2

Details of premises licence holder	
Name:	Animal Crossing Music Ltd
Address:	303 The Pill Box, 115 Coventry Road, London, E2 6GH
Registered number:	11368411

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	Oliver Keenan-Ryder
Address:	[REDACTED]
Personal Licence number:	[REDACTED]
Issuing Authority:	Salford City Council

Annex 1 – Mandatory conditions	
<p>Door Supervisors</p> <p>1. Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: -</p> <ul style="list-style-type: none"> (a) Unauthorised access or occupation (e.g. through door supervision), (b) Outbreaks of disorder, or (c) Damage, <p>unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.</p> <p>Supply of alcohol</p> <p>2. No supply of alcohol may be made under this premises licence:</p> <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. <p>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.</p> <p>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.</p>	

- (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.

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.

Annex 2 – Conditions consistent with the operating schedule

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions, particularly head and shoulders recognition.
2. Cameras shall encompass all ingress and egress to the premises, fire exits and all areas where the sale / supply of alcohol occurs. The Premises Licence holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format on to DVD for officers of Responsible Authorities.
3. Equipment must be maintained in good working order and be correctly time and date stamped. Any hard drive system used must be capable of retaining images for a minimum of 31 days on a roll-over basis.
4. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce/download/burn CCTV images upon request by a Police Officer or an Authorised Officer of the Licensing Authority.
5. An Incident Log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to GMP or an Authorised Officer of the Licensing Authority.
6. All drinks shall only be sold in a container made from non-splintering plastic, paper or shatterproof glass during any dance or DJ-led events.
7. Door Staff to be engaged at the premises from 60 minutes before opening until 30 minutes after close whenever the premises are open beyond midnight. The number of door staff shall be such as is determined by a risk assessment by management each day, at the ratio of 1:100.
8. When employed at the premises, all door staff will wear high-visibility jackets, both when inside and outside the premises for DJ-led events, and outside only for private, corporate and/or brand-led events.
9. The Drugs Policy will be agreed by the Licensing & Out of Hours Team and attached to this Licence.
10. Any person who appears to be drunk shall not be permitted to enter the premises.
11. All fire-fighting equipment shall be maintained in accordance with the necessary certification and maintenance requirements.
12. Public Liability Insurance shall be maintained in respect of the premises.
13. Prior to opening to the public, the premises will be available for inspection by Greater Manchester Fire Authority.
14. An adequate fire detection service and appropriate emergency lighting system are to be installed at the premises.
15. Staff shall make regular checks of the toilet facilities.
16. The premises shall have a comprehensive emergency procedure, and Management shall ensure that all staff are fully trained in the safe handling of emergencies.
17. The Dispersal Policy agreed by the Licensing & Out of Hours Team is attached to this Licence and is a Condition of the Premises Licence.
18. A Noise Limiter will be fitted and set at a level as agreed with Environmental Health.
19. No noise shall emanate from the premises, nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance.
20. All doors and windows shall remain closed during regulated entertainment except for access and egress or in case of emergency.
21. Notices shall be placed at the exits to the premises asking customers to leave the premises quickly and quietly.
22. There shall be no disposal of glassware or containers outside the premises between 22:00 and 07:00.
23. The Smoking Policy agreed by the Licensing & Out of Hours Team is attached to this Licence and is a Condition of the Premises Licence.

24. The area outside the premises will be kept clean and tidy, and staff will tidy away any litter at the conclusion of trading.
25. There shall be regular and adequate refuse collections from the premises.
26. Local taxi numbers shall be made available for customers, to assist in procuring a taxi.
27. Adequate rubbish bins will be placed outside of the premises and cleared away when the premises close.
28. No under 18's will be permitted on the premises after 21:00.
29. The Challenge 25 Policy shall be implemented in full and appropriate identification shall be sought from any person who appeared under the age of 25. The only acceptable forms of identification shall be passport, photo driving licence and those carrying the PASS logo.
30. Staff training shall include the Challenge 25 policy and its operation. The training shall be given to a new member of staff before they commence employment, and all staff will be retrained at least annually.
31. Notices shall be displayed inside the premises warning that it is illegal to purchase – or attempt to purchase – alcohol under the age of 18.

Annex 3 – Conditions attached after hearing by the licensing authority

1. When operating the Challenge 25 Scheme, in addition to the appropriate ID's stated on the application, a UK forces warrant card is also acceptable ID and also that the PASS card must bear a hologram.
2. The signage referred to on the application shall also include a statement that a Challenge 25 Scheme is in operation.
3. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within a reasonable time of a request by an officer of a Responsible Authority.
4. All staff authorised to sell alcohol shall be trained in:
 - a. The prevention of underage sales of alcohol
 - b. The prevention of proxy purchases of alcohol
 - c. Maintenance of the refusals log
 - d. Where till prompts are installed, how to enter sales correctly on the tills so the prompts show as appropriate
 - e. How to refuse service.
5. Training must include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed and signed by the trainee. Documented records of training completed shall be kept for each member of staff. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.
6. No events by an external promoter are to take place at the premises.
7. No ticket sales for an event to take place within 24 hours of the commencement of that event.
8. All ticket sales are to be done in advance and no tickets will be sold on the door.
9. No person who is considered to be drunk, or behaving in a disorderly manner will be allowed to enter.
10. All persons entering the premises, shall be subject to a search by an SIA trained member of staff, in an area monitored by CCTV. There will be a female SIA trained member of staff to undertake searches on female customers.
11. No liquids, food or aerosols are permitted into the premises and will be confiscated during the search.

12. A second soundproofing door creating an airlock system has been added to provide a further barrier for noise. On event days this will be manned by SIA registered doorstaff who will ensure that both doors are not open at the same time.
13. A limit of 10 to be placed on the number of people allowed in the external Smoking Area at any one time, and this will be closely monitored by doorstaff.
14. A Sound Engineer to be on site during events to ensure that sound is set at a level that will not cause nuisance to any residential properties. The Engineer to assess and fix sound levels according to the limiter agreed with Environmental Health before the event begins.
15. Speakers to be located so that all sound is projected within the venue.
16. No noise shall be audible at the nearest residential property situated 130m from the premises.
17. When a ticket is purchased for an event at the premises an e-mail to be sent which contains information regarding the location of the venue, public transport and taxi numbers.
18. A member of staff who is responsible for the external area of the premises and who will regularly patrol to ensure that no customers are congregating outside, or causing any disturbance.
19. The premises to employ a dedicated Street Marshall who will be available to assist customers leaving the premises.
20. Customers to be discouraged from loitering outside the premises and to be requested to leave the area quickly and quietly by doorstaff.
21. Customers to be assisted in obtaining transport whenever necessary.
22. At close of trade the venue and up to 50m either side will be cleared of any litter

Annex 4 – Plans

See attached

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