



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 28 November 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 entrances of the Extension.**

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

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**Councillors** - Andrews, Hewitson and Reid

## Supplementary Agenda

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5. **Application for a New Premises Licence - Achievable  
Community Services Ltd, 2 Empire Street, Manchester, M3  
1JA** 3 - 34  
Now contains additional information submitted by the applicant.

## Further Information

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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](mailto:ian.hinton-smith@manchester.gov.uk)

This supplementary agenda was issued on **Friday, 25 November 2022** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA



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**To: The Premises Licence Office, Manchester City Council**

**FAO:**

1. PC Alan Isherwood
2. Lauren Connell, Neighbourhood Compliance Officer
3. Bernard McMenamin, Trading Standards

*Dear Sir / Ma,*

**Subject: Premises Licence Application by Achievable Community Services for No 2 Empire Street, Cheetham Hill, Manchester M3 1JA**

We present herein our representations to the three objections to the grant of premises licence application by the Greater Manchester Police, Licensing & Out of Hours Compliance Team and the Trading Standards.

#### **Our Representations**

It is our belief that all these objections have to do with how we plan to discharge all obligations of the four licensing objectives, which are:

1. Prevention of crime and disorder
2. Public safety
3. Prevention of public nuisance
4. The protection of children from harm

We do think that our application probably did not contain enough information on steps we have put in place to ensure full compliance with the Licensing Act 2003 and the achievement of the four objectives, we therefore wish to make the following specific representations.

1. The Designated Premises Supervisor / Director; Suraju Oladapo AYOOLA (DOB: [REDACTED])  
Dr. Suraju Ayoola is an experienced private security operative with over ten (10) years' experience in the delivery of security trainings with a focus on the Security Industry Authority (SIA) regulated courses like security guarding, door supervision and CCTV operation as well as delivery of conflict management and Action Counter Terrorism (ACT). He holds all the certifications mentioned above. In addition, he also holds a personal licence and a certificate on PREVENT online training.
2. The Building and Location – Empire House, No2 Empire House, Manchester M3 1JA  
The building / premises have in the past been issued a premises license to operate late at night, including as a casino and restaurant at different times. The said licence was in place until the operators left the facility, this does negate the thought that issues could arise from sound / noise or bring about a planning permission concern.



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### Concerns by Trading Standards Services

We write to confirm that we are aware of the licensing obligation to protect children from harm and in particular, the responsibility to prevent underage sales of alcohol.

#### Our Actions

We have a written policy – Think 25 Policy and Acceptable Proof of Age **(please find attached)**.

Both our DPS and Manager have up to date trainings and some certification in courses which include but not limited security industry authority regulated door supervision and premises licence. As you may be aware, these trainings have specific topics / units on all licensing objectives. We confirm that the DPS in his other roles, deliver these trainings at least once a month. **(Please find certificates attached.)**

We wish to confirm and assure your good offices that at no time we would allow any unlicensed door supervisor to man our gate.

We also assure that DPS will ensure that at no time would a young person below the age of 18 be allowed in the premises and thus will not be able to access alcohol in the premises.

### Concerns by Licensing and Out of Hours Compliance Team

We like to confirm that there is NO SINGLE residential apartment on Empire Street where this property is. In fact, our immediate neighbours on the side of the road we are, are a pub and a brewery. It may interest you to know that our premises, the pub and the brewery as well as some others on the street belong to our Landlord, the Joseph Holt Brewery. The two different plots opposite us are used as car parks by our landlord (during working hours) and members of the public.

We also wish to confirm that there is no new development either residential or commercial within earshot of Empire Street. We are also aware of some night clubs in Manchester City Centre that operate relatively close to hotels and holiday apartments. We therefore believe that our location would not disadvantage us.

Our premises have been used for holding wedding receptions and related events, we have always ensured that no noise is heard outside of the building and wish to assure that that we have sufficient sound proofing to mitigate possibility of escape of noise from music.

**Guest Dispersal** – We have a robust and implementable plan to ensure that we remain in control of all events and disperse our guest in a way that prevents public nuisance and public safety. **Please find our guest dispersal plan attached.**

We confirm that we would use only SIA licensed door supervisors and will keep a log of their details. These officers will be supplied by:



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We must reiterate that the DPS also holds valid SIA license for door supervision in addition to training in delivery of both conflict management and physical intervention techniques.

#### Concerns by the Greater Manchester Police

We noted that the objection raised by the Police has some commonalities with those we have responded to above.

However, we note the worry about our proposed operating schedule and hereby make amends as follows as demonstration of readiness to ensure clarity and cooperation:

**Monday – Thursday:** No Licensing activities will take place in any form or shape

**Friday:** Night club activities including retail of alcohol will only take place between 10.00 pm and 3.00am

**Saturday:** Night club activities including retail of alcohol will only take place between 10.00 pm and 3.00am

**Sunday:** No licensing activities will take place in any form or shape.

We reiterate our commitment and capacity to ensure that the four licensing objectives listed below are upheld without compromise.

1. Prevention of crime and disorder
2. Public safety
3. Prevention of public nuisance
4. The protection of children from harm

#### Prayers

We affirm our readiness to work with the Manchester City Council and relevant authorities for mutual benefit of all stakeholders as we strive to survive as a business owned and operated by ethnic minority in our bubbling Manchester.

Yours sincerely,

A solid black rectangular box redacting the signature of the sender.

Dr Suraju Oladapo AYoola  
**Director & Designated Premises Supervisor**



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## Empire House Queue Management Policy

### Overview

This document has been produced to guide our queuing arrangements in a way that supports prevention of public nuisance and promotes public health by taking into consideration social distancing measures.

The document will be reviewed in line with the release of any further Government guidance and as best practice is developed and maintained by Empire House

When designing our queuing strategy, consideration was given to the nature of the area, the immediate streetscape, and neighbouring premises including the pub and breweries who are our immediate neighbours.

### How to plan and manage a queue

We would ensure that queue is arranged to be off the road and starts right from the front door and extend round the corner to Brent Street. An acceptable queue management plan will ensure at least 2.5m space is provided on the pavement for pedestrians.

- A staffing or stewarding plan should be implemented for the queue space to ensure sufficient resource is allocated to manage and monitor the queue space
- Consideration needs to be given to existing street furniture in the vicinity of a premises as well as bus stops or waste collection routes. Plans must ensure that a pinch point for public access isn't created.
- Clear lines of communication are crucial to ensure staff and customers are provided with accurate information.
- Ensure there are sufficient numbers and suitably trained staff and/or stewarding resources to manage the queuing area.
- Ensure signage is visible and displayed in appropriate locations including at the end of the queue to be monitored to ensure they do not exceed capacity.
- At the end of the trading day, only allow customers in the queue who will be able to enter the premises before closing.

**A queue management plan and full risk assessment must be approved for each event.**

### Capacity

Maximum capacity for Empire House is 350. At no point should there be more than 350 people (including staff, band team members and all guests) in the premises.

### Entry/Exit Points



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The entry and exit points at start and end of event shall be main entrance on Empire Street.

Exit point during event will be fire exit on Empire Street

Emergency exits will be through all doors including fire exists on Brent street, fire exit and main door on Empire Street.

If there is a high volume of persons leaving the premises, there may need to consider for a holding area with social distancing enforced inside the exit for people to queue as they exit.

- Ensure emergency exits remain accessible at all times.

### **How to manage a queue**

- Clear lines of communication are crucial to ensure staff and customers are provided with accurate information.
- Ensure there are sufficient numbers and suitably trained staff and/or stewarding resources to manage the queuing area.
- Ensure signage is visible and displayed in appropriate locations including at the end of the queue.

Ques need to be monitored to ensure they do not exceed capacity.

- At the end of the trading day, only allow customers in the queue who will be able to enter the premises before closing.

### **Queuing Behaviours**

- During this pandemic there is a likelihood that customers will have a heightened anxiety around social distancing measures. Create reassurance that there is compliance with Government advice and guidelines to create trust with customers. Ensure that stewards, staffs and security officers are briefed to show empathy and understanding.
- People may become frustrated with long wait times. To help with this, give customers information about queuing times to manage their expectations when they join the queue.
- Consider the type of demographic visiting the premises and how their behaviour is likely to affect their queuing. Studies have shown that family groups or groups of friends prefer to move together as a unit rather than as individuals. Mobility would also be considered.
- Place hand sanitiser stations at entry and exit points (considering pedestrian flows).

### **Security**

Where possible, appoint a queue manager to monitor behaviours in and around the queue. This should include monitoring for people loitering, so they know they have been seen and noted.



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Those staff involved in managing the queue should engage the public using tact and good humour. People in queues may become increasingly intolerant of other people's behaviour at social distancing queues. The time waiting in the queue and seasonal heat will affect people's behaviour.

### **Recommendations**

Utilise a 'meet and greet' philosophy at entrances – you can control numbers, convey any instructions, etc. whilst imparting a subliminal message of regulation: control the door, control the crime.

- Have a qualified first aider in the vicinity to administer basic first aid should someone faint in a queue.
- Monitor for begging and take action to ensure this behaviour does not establish itself. If a problem persists or person becomes aggressive, call 999. The personal safety of the queue manager the people in the queue and the public is the primary importance.
- Engage in positive crime prevention measures. It will be harder for offences such as pickpocketing to be committed with social distancing in place. However, those managing the queue should remind those queuing to keep bags closed and valuables out of sight.
- Keep an eye out for individuals loitering nearby or other suspicious activity.

### **Other considerations**

- Provide clear guidance on social distancing and hygiene to people on arrival – signage and visual aids, for example.
- Give consideration to the size of groups allowed and the impact on queue space required (as well as inside).
- Review opening hours when considering how to manage deliveries to de-conflict where possible.
- Ensure any changes to entries, exit and queue management take into account reasonable adjustments for those who need them, including those with accessibility requirements.
- Consider support that may be required for those with hidden disabilities such as deafness and visual impairments when following instructions and queueing.
- Always maintain emergency access.

Carry out a COVID-19 risk assessment which should take into account internal management of the premises, staff and visitor welfare as well as external plans.





**Empire House**

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**This document is intended to form part of Empire House Assignment Instruction for security personnel on duty.**

**Reviewed:** September 2022



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## EMPIRE HOUSE DISPERSAL PLAN

This plan is designed to ensure that all members of staff and contracted door supervisors support Empire House to prevent all actions that may always constitute public nuisance or a breach of peace but especially at the end of an event.

The primary aim of this plan is to ensure that we practice a robust and consistent approach to winding activities / events in a way that ensures that we are able to uphold our legal licensing obligations.

### Our Objectives:

- To ensure that we retain control of the management of our events / activities through policy and agreed action plans.
- To provide team members with clear guidance and directives on activities and specific actions that must be taken towards the end of any event / activity in ways that prevent any incident.
- To disperse guests and customers without any incident or complaint.

### Implementation

Pursuant to supporting the 4 licensing objectives, at the end of all events and when the venue is closing, staff and door supervisors shall assist with safe, quiet and orderly dispersal of patrons from the area in such that minimise any disturbance to our neighbours.

In specific, the plan detailed below will be supervised by the duty manager on event days with guidance and directives from the designated premises supervisor (DPS).



**Empire House**

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S/NO	TIME UNTILL EVENT ENDS	ACTION REQUIRED	AIM
1	60 Minutes	Bar staff uses DJ's system to announce that events end in one hour and that the bar will be shut in 30 minutes.	To prompt patrons to start planning their departure
2	60 -30 minutes	Start clearing / removing all unused bottles, drinks and empty all receptacles	To prevent last minute clear up, send further signals of closing and remove potential hazards.
3	30 minutes	DJ begins to reduce music volume and changes to on music with lower tempo	To further signal end of event and trigger decision by patrons to leave.
4	30 minutes	Bar shuts down and will serve ONLY tap water. DJ announces to patrons to be respectful of neighbours as they depart.	To stop further consumption of alcohol.  Ensure that patrons are reminded to exit quietly and orderly.
5	30 minutes	Staff and Door Supervisors in high visibility vests relocate to designated exists.	To encourage patrons to leave quietly and respect neighbours.
6	10 minutes	Staff begins to encourage customers to drink up and make their ways quietly to the exits.	To encourage gradual dispersal and avoid mass exit.
7	5 minutes	DJ announces last song	To signal end of event
8	0 minute	DJ thanks all patrons and request them to leave quietly. Music stopped and public address system is disabled.  Door Supervisors continue to coordinate safe, quiet dispersal of customers	To ensure quiet and peaceful dispersal
9	Plus 10 minutes	Firmly request all remaining patrons to leave premises and be ready to enforce a respectful environment	To ensure that all patrons leave the premises without any incident.
10	Plus 30 minutes	Final lockdown checks	End of day

Reviewed: September 2022



## Empire House Drugs Policy

The Misuse of Drugs Act 1971 puts controlled drugs into three Classes defined by the amount of harm that they have the potential to cause. They are categorised as follows:

**CLASS A:** Which includes Cocaine, Crack Cocaine, Heroin, Ecstasy, Cannabis Oil and LSD.

**CLASS B:** Which includes Cannabis, Cannabis Resin and Amphetamine

**CLASS C:** Which generally include prescription drugs which are abused such as Diazepam and Steroids.

The Misuse of Drugs Act 1971 also defines the offences with the main ones being:

***Possession: Also known as personal use where the individual has a small amount of a controlled drug on their person.***

***Possession with Intent to Supply: This is where an individual has a controlled drug in their possession and the reason for this is to supply it to another.***

***Supply: This is where a person supplies or offers to supply a controlled drug to another person.***

The part of the Act which directly effects licensed premises is:

Section 8 of the 1971 Act which states that it is an offence to “Knowingly permit or suffer any drug related activity on the premises”. Activity could relate to any of the above offences

### Drugs seized or found on premises

Where items suspected of being illegal drugs are found on an individual following a voluntary search, the police must be called, and the items handed over to the attending officer as part of an evidential package.

Likewise, there is no power to detain an individual under the Misuse of Drugs Act 1971 and individuals must remain at the premises voluntarily before being handed over to the police as soon as possible.

Detention is only lawful if the individual has committed a Common Law offence such as an assault or a Breach of the Peace.

If the individual agrees to remain on the premises they can be handed over to the police at the same time.

A written statement documenting the search and the subsequent handover will be required to provide continuity of the evidence chain.



Where items are located inside the premises and a person is NOT identified and there is no prospect of doing so, the process outlined below must be followed:

The process is that the person finding the substance is required to place the items in a sealable bag or envelope and seal it. Once sealed, that person will sign across the seal and this will be counter signed by the duty manager/DPS. The staff member will then fill out the drug register before depositing the package into a secure drug safe (drop box) which is kept in a secure location of the building. Please note that no member of staff or visitor can retrieve the drugs from the drop box. The item(s) must only be removed by a Police Officer who will be required to sign the register to confirm that it has been removed. This will need to be counter signed by a manager/DPS at the premises. The completed drugs register will be retained on the premises for at least 6 months after the completion date for auditing purposes.

It is the expectation of the Police that when drugs are deposited in the safe, a call is made to the control room of the local policing area to arrange collection. The call should be made as soon as is practical and an incident log created flagged for the attention of the Licensing Officer. If the venue is busy and this occurs on a weekend or public holiday, this call MUST be placed no later than the first working day after the drugs are found and deposited.

Failing to adhere to this may amount to a staff member or manager committing an offence of unlawful possession as outlined above.

The defence to this is knowing or suspecting it to be a controlled drug, he/she took possession of it for the purpose of delivering it into the custody of a person lawfully entitled to take custody of it and that as soon as possible after taking possession of it he/she took all such steps as were reasonably open to him/her to deliver it into the custody of such a person.

All staff and managers have a duty to support this policy to make sure that people coming into Empire House feel safe and can enjoy themselves in a drug free environment.

**This document is intended to form part of Empire House Assignment Instruction for security personnel on duty.**

**Reviewed:** September 2022



**Empire House**

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## **ENTRY CONDITION**

**WARNING! WARNING!! WARNING!!!**

### **SEARCH NOTICE**

FOR THE SAFETY OF OUR TEAM MEMBERS, PATRONS AND THE GENERAL PUBLIC, WE RESERVE THE RIGHT TO SEARCH EVERYONE AS A CONDITION TO ENTER AND REMAIN ON OUR PREMISES.

### **PROOF OF AGE**

IF YOU LOOK UNDER 25 YEARS OF AGE, WE WILL REQUIRE AN ACCEPTABLE PROOF OF AGE AS PRECONDITION TO ENTER AND REMAIN ON OUR PREMISES.

### **DRESS CODE**

WE MAY SPECIFY PREFERRED DRESS CODE FROM TIME TO TIME AS A CONDITION OF ENTRY.



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## Empire House - THINK 25 Policy and Acceptable forms of ID

As a responsible venue, Empire House is absolutely committed to protecting children from harm. It is important to us that age restricted products do not end up in the hands of those underage. We are not only legally obliged to do this, but also recognise the importance of this as part of our company values to make a positive difference in our communities.

**We also recognise how difficult it can be for our colleagues to judge the age of someone in their mid-late teens or early twenties. Someone who looks 18 could easily be 16, likewise, they could easily be 20 or 22. It is less likely, however, that they will be 25. For this reason, we ask all colleagues to check the age of anyone trying to gain access to the venue or buying restricted products who they believe to be under 25.**

Below is the list of IDs we accept as proof of age.

- Current passports or an equivalent form of identification such as a national identity card with a photo and date of birth (all nationalities), these must show expiry dates
- Current photographic driving licences or provisional licences and date of birth (all nationalities), these must show expiry dates.
- Military IDs with a photo and date of birth (UK only)
- Cards with a PASS logo such as Citizen, Connexions, Validate or Young Scot, these must have holograms.
- Biometric residence permits (BRPs)

Under no condition will ANY young person without acceptable proof of identification be admitted and / or be allowed to purchase alcohol. Colleagues are reminded of the responsibility to prevent children from harm as prescribed by the Licensing Act. Failure to comply with the provisions of this policy will lead to serious disciplinary actions.

### **Refusal of Entry / Service**

In the event that a prospective customer is refused access or service, entry must be made in the entry / service refusal book.

**This document is intended to form part of Empire House Assignment Instruction for security personnel on duty.**

**Reviewed:** September 2022



## Empire House Search Policy

Searching is a standard part of the entry policy for Empire House, Cheetham Hill, Manchester, M3 1JA.

Signs advertising this policy are displayed at all public entrances to the venue and voluntary searches are a condition of entry into this venue for purposes of protecting lives and complying with relevant provisions the licensing act 2003.

Searches can **ONLY** take place with the consent of the individual who is to be searched. Under no circumstance can force be used to perform a search. If an individual initially gives their permission to be searched but then withdraws this consent, the search must be stopped immediately. There are no legal powers for staff including SIA door supervisor staff to search. And where consent is refused, consideration should be given to record it in the search register.

It is best practice to have another person witness the search to prevent any malicious claims of assault and to provide evidential corroboration of any items found. **If the individual declines to be searched, entry must be refused on all occasions.**

### Trespass / Aggravated Trespass

You have a right to refuse entry or to ask someone to leave at any point. If they refuse to leave when requested to do so and are displaying drunk OR disorderly behaviour, it is allowed to use minimum force to remove such persons from the premises and the police should be contacted for assistance if there is threat to life and properties. It can be considered as a civil offence of trespass for a person to refuse to leave the venue when requested to do so, this may be a criminal offence of aggravated trespass if force is used by a customer to remain in Empire House after being told in clear terms to leave the premises.

### Extent of searching

The search of a person must be restricted to outer clothing and pockets but can and should include bags.

The search should only be performed by a staff member who is of the same gender as the individual to be searched; male to search male and female to search female. Self-search may be done for non-binary customers.

Once inside the venue, voluntary searching is still permitted however should only be conducted where information exists to suggest that drugs are being used (as opposed to the screening option that may be employed on the entrance(s)). The same rules apply as with condition of entry searches and where consent is refused, the individual should be asked to leave and escorted off the premises.





Where practical, the search should take place out of the way of the public. When the venue is busy taking an individual to one side and being discreet may be more proportionate to ensure that the safety and security of the venue is not compromised.

The method of searching must be in accordance with any training approved by the SIA and be compliant with the rules laid out above.

**This document is intended to form part of Empire House Assignment Instruction for security personnel on duty.**

**Reviewed:** September 2022

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

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