



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 22 July 2019

Time: 10.00 am

Venue: Council Antechamber - Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

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 Chamber and Antechamber**

Public access to the Council Chamber and 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. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk.

**There is no public access from the Lloyd Street entrances of the Extension.**

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

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**Councillors** – Stone (Chair), Andrews and Lynch

## Agenda

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6. **Temporary Event Notice - Bar Pop 10 Canal Street  
Manchester, M1 3EZ** 3 - 56  
Report of the Head of Planning, Building Control and Licensing is  
enclosed.

## Further Information

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

Andrew Woods  
Tel: 0161 234 3011  
Email: [andrew.woods@manchester.gov.uk](mailto:andrew.woods@manchester.gov.uk)

This agenda was issued on **Tuesday, 16 July 2019** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Sub-Committee Hearing Panel – 22 July 2019

**Subject:** Bar Pop, 10 Canal Street, Manchester, M1 3EZ - ref: LTN234398

**Report of:** Head of Planning, Building Control & Licensing

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**Summary**

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

**Recommendations**

That the Panel consider the objection notices and give a counter notice where it considers it appropriate.

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**Ward Affected:** Piccadilly

<b>Manchester Strategy Outcomes</b>	<b>Summary of the contribution to the strategy</b>
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

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**Financial Consequences – Revenue - None**

**Financial Consequences – Capital - None**

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**Contact Officers:**

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

Name: Helen Howden  
 Position: Technical Licensing Officer  
 Telephone: 0161 234 4294  
 E-mail:

**Background documents (available for public inspection):**

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

## 1. **Introduction**

- 1.1 On 8 July 2019, a temporary event notice (TEN) was given under s100A of the Licensing Act 2003 in respect of Bar Pop, 10 Canal Street, Manchester, M1 3EZ in the Piccadilly 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 Objection notices have 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**, along with the plans submitted with the application (the plan of the internal area has been provided to the Committee only; the plan of the external area is for all parties).
- 2.2 The premises user is Mr John Hamilton.
- 2.3 The description of the event is:
 

Three pop up bars located at: rear ground floor, raised seating area ground floor, tables and chairs external area.
- 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 No further documentation has been submitted in support of the TEN.

## 3. Objection Notices

3.1 Objection notices were received from GMP and from Licensing and Out of Hours Compliance in respect of the TEN (**Appendix 3**). No personal details of any members of the public were included in the objections so there have been no redactions.

3.2 Summary of the objections:

Party	Grounds of representation	Recommends
<b>GMP</b>	<p>GMP comment that they “have no issue with the 2 internal bars that have been applied for within the TEN application but we do have issue with the outside bar which has also been applied for.”</p> <p>The reason for the objection is that Canal Street especially becomes extremely congested during the Pride event. Additional queueing for a bar will cause further congestion. Furthermore, having an outside bar is in breach of an informal agreement to not have venues selling directly onto Canal Street. GMP state that this agreement has been in place for “many years and is fully supported by the Pride organisers and all other venues.” Allowing this TEN is likely to cause a “ripple effect” with other venues applying for outside service, further increasing public safety concerns. In addition GMP consider that an external bar open until 11pm is too late for a bar which it is considered will cause issues.</p>	Serve a counter notice
<b>Licensing and Out of Hours Compliance</b>	<p>This objection considers that public nuisance would be caused, particularly in view of the finish time requested. People queueing to be served would take up a large area, and there is already a stage in close proximity. Pedestrian flow on the street would be limited “causing a bottle neck as people seek to take advantage of the first opportunity to purchase alcohol”.</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.

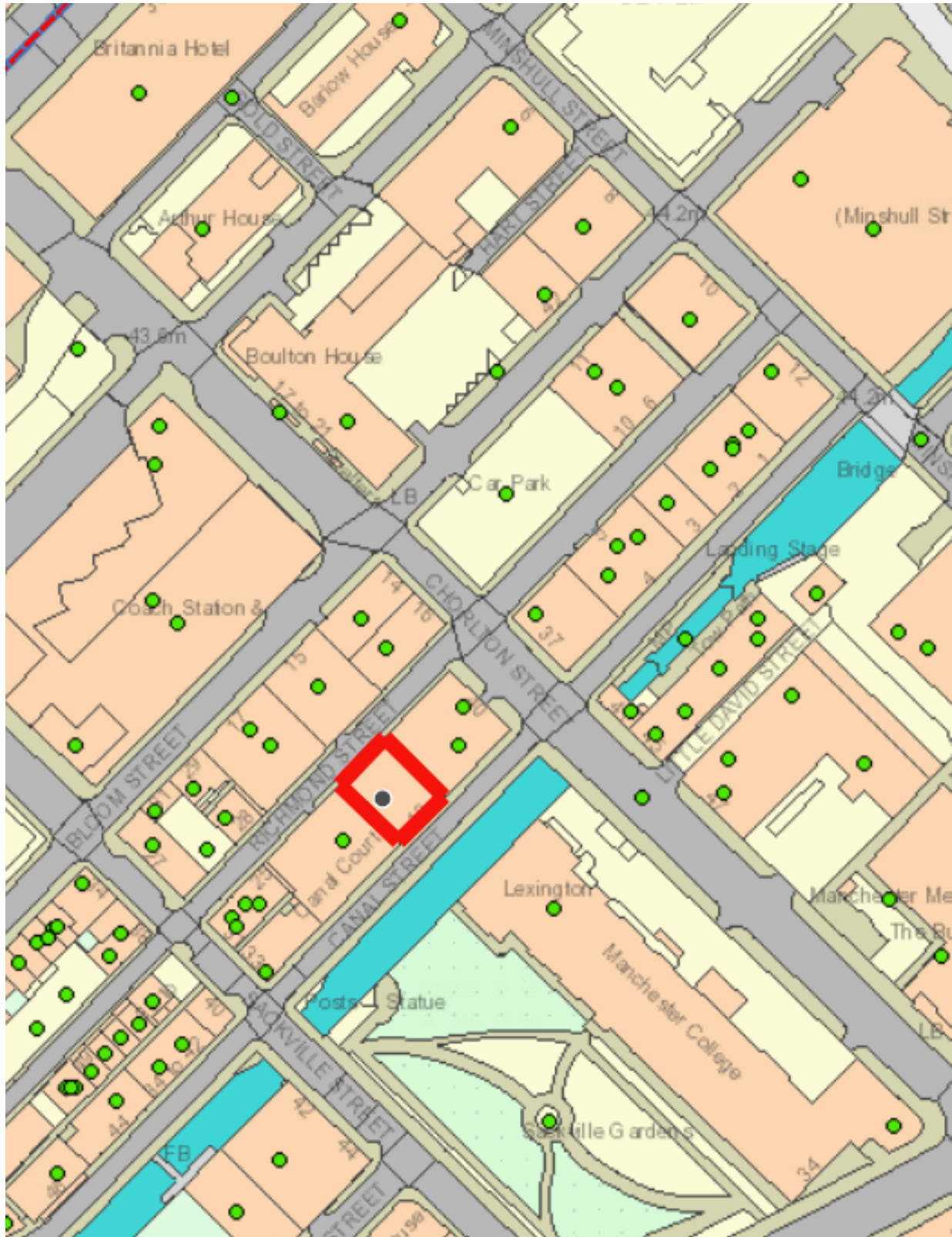
### **Conclusion**

- 4.6 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.
- 4.7 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.
- 4.8 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.
- 4.9 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.
- 4.10 All licensing determinations should be considered on the individual merits of the notification.



- 4.11 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.
- 4.12 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.
- 4.13 **The Panel is asked to determine the temporary event notice**

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Bar Pop  
10 Canal Street, Manchester, M1 3EZ

Premises Licensing  
Manchester City Council

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Survey100019568.



**PREMISE NAME:** Bar Pop

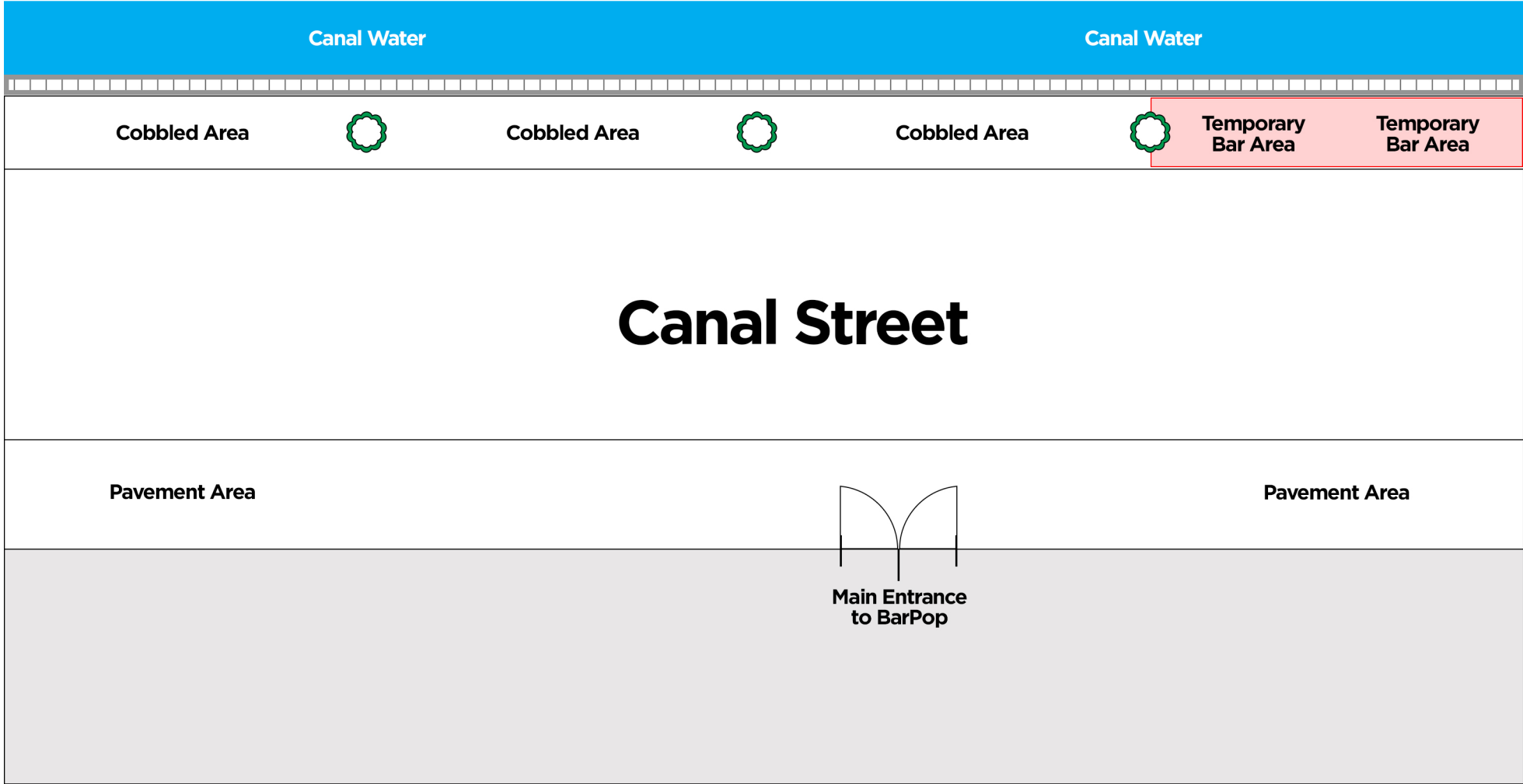
**PREMISE ADDRESS:** 10 Canal Street, Manchester, M1 3EZ

**WARD:** Piccadilly

**HEARING DATE:**



Outside Area - Temporary Bar - Pride 2019



KEY: ● Tree ● Canal ▨ Canal Wall ● Area Outline

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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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# Temporary Event Notice

Payment Transaction number:- ASB/163409 | Form Reference number ASB/3209008

## Premises User Information

Title

Mr

If other please state

n/a

Surname

Hamilton

Forenames

John Desmond

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

n/a

Your date of birth

Your place of birth

National Insurance Number

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

Telephone

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email address

Address

n/a

Telephone

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email

## 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)

Bar Pop  
10 Canal St  
Manchester  
M1 3EZ

Premises licence number

126856

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

It is intended to have 3 pop up bars-

- 1- At the rear of the ground floor (Please see attached internal floor plan)
- 2- On the raised seating area on the ground floor (Please see attached internal floor plan)

Both of the above bars are intended to relieve congestion from the main bar during busy periods.

3- To be situated on the cobbles directly opposite Bar Pop, Canal St. The cobbles are currently a licenced seating area. This bar will not exceed 6 foot by 8 foot in floor space. (Please see attached external floor plan)

Please describe the nature of the event

The pop up bars are intended to run over the course of Manchester Gay Pride.

From all three pop up bars, any glass bottles will be decanted into disposable plastic drinkware.

A personal licence holder will be on site throughout operating times.

All bars will operate challenge 25 and adhere to all licencing objectives, including keeping a written record of any refusals.

The external bar, on the cobbles of Canal St will have a crowd control barrier available to ensure that a queuing system is adhered to by patrons, should it have a busy period.

SIA trained staff/ Serenity security will manage patrons during operating times.

Licensable activities

The sale by retail of alcohol

Yes

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

No

The provision of regulated entertainment

No

The provision of late night refreshment

Yes

Are you giving a late temporary event notice?

No

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

23/08/2019, 24/08/2019, 25/08/2019, 26/08/2019

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

Internal Bar 1 + 2- 23/08/2019 - 16.00-0400, 24/08/2019 12.00-04.00, 25/08/2019 12.00-04.00, 26/08/2019 12.00-02.00 External Bar 3- 23/08/2019 16.00-2300, 24/08/2019 12.00-23.00, 25/08/2019 12.00-23.

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).

499

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

Both

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

No

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

n/a

## Personal Licence Details

Do you currently hold a valid Personal Licence?

Yes

Issuing Authority

Manchester City Council

Licence Number

096920

Date of Issue

13/02/2017

Date of Expiry

n/a

Any further relevant details

n/a

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

Yes

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

1

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

No

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

Yes

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

6

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

Yes

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.

6

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

John Desmond Hamilton

Capacity in which you are making this application

Director

## Additional information

I\_understand

Yes

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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:

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## GREATER MANCHESTER POLICE



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

To: Mr John Hamilton  
Apartment 1  
10 Canal Street  
Manchester  
M1 3EZ

10<sup>th</sup> July 2019

Dear Sir

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

<b>PREMISES NAME:</b>	<b>Cobbled Area opposite premises</b>
<b>ADDRESS:</b>	Bar Pop 10 Canal Street Manchester M1 3EZ
<b>DATE OF EVENT:</b>	23/08/19 – 27/08/19
<b>TIME OF EVENT:</b>	1600 – 2300 hrs & 1200 – 2300 hrs

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

GMP have no issue with the 2 internal bars that have been applied for within the TEN application but we do have issue with the outside bar which has also been applied for.

The premises have applied for an outside bar on Canal Street during Pride. The vast majority of other premises within the Pride footprint respect our informal agreement to not have venues selling directly onto Canal Street – this has been an ongoing agreement for many years and is fully supported by the Pride organisers and all other venues.

**GREATER MANCHESTER POLICE**

The main reason for this is the Public Safety objective – approximately 40,000 people attend the Pride event on Saturday and Sunday and Canal Street especially becomes extremely congested - additional queueing for a bar will cause further congestion, especially with venues increasingly having outside entertainment such as dancers, singers etc on Canal Street causing further congestion in that area.

Allowing this TEN is likely to cause a ripple effect of other venues applying to serve alcohol onto Canal Street which could harm Public Safety and Crime & Disorder objectives.

GMP are also concerned about the hours the external bar will remain open until, as 2300 hrs is far too late for a bar which we believe will cause issues.

As such we ask that this TEN application is refused.

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

Date/Time 10th July 2019 0915 hrs

.....

 <b>MANCHESTER CITY COUNCIL</b>	
<b>Licensing &amp; Out of Hours Compliance Team - Representation</b>	
Name	Margaret Lewis
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	m.lewis@manchester.gov.uk
Telephone Number	0161 234 1838

<b>Premise Details</b>	
Application Ref No	REF 234398
Name of Premises	Bar Pop
Address	10 Canal Street, Manchester, M1 3EZ

<b>Representation</b>
<p>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.</p> <p>Licensing and out of hours team (LOOHT) have assessed the likely impact of granting the Temporary Events Notice taking into account a numbers 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 this application could undermine the licensing objective.</p> <p>Bar Pop have applied to install a number of pop up bars inside and outside the venue. Inside serving till alcohol till 04:00, outside serving till 23:00. The outside bar will be located on a cobbled area in close proximity to the stage they successfully put a TEN in for.</p> <p>Bar pop is the first bar revellers would encounter as they access Canal street from Chorlton Street during pride, it is situated in main point of access to Canal Street which is a main thoroughfare for visitors during pride. I believe taking in to consideration the number expected and the prime location of the bar, that this would give rise to public nuisance and asked the application is refused.</p> <p>The basis for the objection is set out below</p> <p>The hours applied for are excessive</p> <p>The potential public nuisance the external bar would create as people queuing to be served would take up a large area, given that there is already a stage till 21.00 in close proximately this would limit the flow of people causing a bottle neck as people seek to take advantage of the first opportunity to purchase alcohol. We therefore asked that the application is refused</p>
<b>Recommendation:</b> Refuse Application

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of the Local Government Act 1972.

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# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

<b>Premises licence number</b>	126856
<b>Granted</b>	30/03/2010
<b>Latest version</b>	Variation 198762, granted 24/07/2017.

### Part 1 - Premises details

<b>Name and address of premises</b>
<b>Bar Pop</b> 10 Canal Street, Manchester, M1 3EZ
<b>Telephone number</b> 0161 236 9266

<b>Licensable activities authorised by the licence</b>
<ol style="list-style-type: none"> <li>1. The sale by retail of alcohol*.</li> <li>2. The provision of regulated entertainment, limited to: 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.</li> <li>3. The provision of late night refreshment.</li> </ol> <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

<b>The times the licence authorises the carrying out of licensable activities</b>
-----------------------------------------------------------------------------------

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0300	0300	0300	0330	0430	0430	0330
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non standard Timings:							
New Year's Eve: Start 1100 Finish 0600 New Year's Day							
August Bank Holiday Weekend: Start Friday 1100, Finish Tuesday 0600							
All other statutory holidays/bank holidays: Start 1100, finish 0600							
On the day British Summertime commences: one additional hour additional to the terminal hour							

<b>Performance of plays; Exhibition of films; Live music; Recorded music; Performance of dance; Anything similar to live music, recorded music or the performance of dance;</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0330	0330	0330	0400	0500	0500	0400
Licensed to take place indoors only.							
<b>Seasonal variations and Non standard Timings:</b>							
<u>New Year's Eve:</u> Start 1100 Finish 0600 New Year's Day							
<u>August Bank Holiday Weekend:</u> Start Friday 1100, Finish Tuesday 0600							
<u>All other statutory holidays/bank holidays:</u> Start 1100, finish 0600							
On the day British Summertime commences: one additional hour additional to the terminal hour							

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0330	0330	0330	0400	0500	0500	0400
Licensed to take place indoors only.							
<b>Seasonal variations and Non standard Timings:</b>							
<u>New Year's Eve:</u> Start 1100 Finish 0600 New Year's Day							
<u>August Bank Holiday Weekend:</u> Start Friday 1100, Finish Tuesday 0600							
<u>All other statutory holidays/bank holidays:</u> Start 1100, finish 0600							
<u>On the day British Summertime commences:</u> one additional hour additional to the terminal hour							

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	0330	0330	0330	0400	0500	0500	0400
<b>Seasonal variations and Non standard Timings:</b>							
<u>New Year's Eve:</u> Start 1100 Finish 0600 New Year's Day							
<u>August Bank Holiday Weekend:</u> Start Friday 1100, Finish Tuesday 0600							
<u>All other statutory holidays/bank holidays:</u> Start 1100, finish 0600							
<u>On the day British Summertime commences:</u> one additional hour additional to the terminal hour							

## Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence	
<b>Name:</b>	FCG Operating Co Limited
<b>Address:</b>	Drake House, Gadbrook Park, Northwich, Cheshire, CW9 7RA
<b>Registered number:</b>	6763354

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol	
<b>Name:</b>	Mr John Desmond Hamilton
<b>Personal Licence number:</b>	096920
<b>Issuing Authority:</b>	Manchester City Council

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol	
Personal Licence number: 096920	
Issuing Authority: Manchester City Council	

Annex 1 – Mandatory conditions	
<b>Door Supervisors</b>	
1.	Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: -
(a)	Unauthorised access or occupation (e.g. through door supervision),
(b)	Outbreaks of disorder, or
(c)	Damage,
	unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.



**Supply of alcohol**

2. No supply of alcohol may be made under this premises licence:
  - (a) At a time when there is no designated premises supervisor in respect of the premises licence or,
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
5.
  - (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
  - (2) For the purposes of the condition set out in (1) above–
    - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
    - (b) “permitted price” is the price found by applying the formula–
 
$$P = D + (D \times V)$$

where –

      - (i) P is the permitted price,
      - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
      - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
    - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
      - (i) the holder of the premises licence,
      - (ii) the designated premises supervisor (if any) in respect of such a licence, or
      - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
    - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
    - (e) “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. All managers shall be required to obtain a personal licence within 3 months of starting employment at the premises.
2. All staff shall be trained to identify suspicious behaviour and take appropriate action.
3. Staff shall monitor all parts of the premises during opening hours.
4. Fire fighting equipment shall be maintained at the premises.
5. All emergency exits will remain unlocked and free of obstruction when the premises is open to the public or members of staff.
6. Management shall carry out regular written safety checks, and deal with any concerns highlighted.
7. All staff shall receive training regarding identifying and refusal of service to patrons who have consumed excessive alcohol.
8. The toilets shall be kept clean and well maintained at all times the premises is open to the public.
9. Any persons who appear to have consumed excessive alcohol shall be refused entry to the premises.
10. Staff shall ensure open drinks containers are not removed from the premises, save for any designated external drinking area.
11. An acoustic soundproof ceiling shall be installed at the premises to defend against any sound escaping the premises.
12. Signage shall be displayed at the premises requesting customers leave the area quietly.
13. No persons under the age of 18 shall be permitted to enter the premises unless accompanied and supervised by a person over the age of 18.
14. The premises shall operate a zero tolerance policy towards drugs and controlled substances.
15. The company's operation manual shall include policies, procedures and training guides and shall be available for inspection by any responsible authority.
16. All Managers shall be familiar with the Manchester City Council Statement of Licensing Policy.
17. All staff shall be trained in conflict management, dispute resolution, health & safety and responsible drinking.
18. The Premises Licence holder shall ensure that there is an adequate and appropriate supply of first aid equipment and materials available at the premises.
19. Adequate seating shall be provided at the premises to promote the responsible enjoyment of alcohol.
20. Occupancy limits shall be determined according to the nature of the premises and activities being carried out.
21. Staff shall ensure that tables are cleared of all bottles and glasses on a regular basis and any spillages are cleaned up as quickly as possible.

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

1. The Challenge/Think 25 policy shall be implemented in full and appropriate identification shall be sought from any person who appears under the age of 25. The only identification to be accepted shall be photo driving licence, passport or the PASS hologram.
2. Notices shall be displayed in prominent positions at the premises indicating that the Challenge /Think 25 policy is in force.
3. Staff training shall include the Challenge/Think 25 policy and its operation. In particular staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training shall be given to a new member of staff before they commence paid employment and all staff shall be retrained twice yearly. Training to also included underage sales, drunkenness and drugs.

4. All training shall be documented. The documented training shall be open to inspection by appropriate officers from Responsible Authorities.
5. A Refusals Register shall be maintained at the premises and shall be checked weekly by the Designated Premises Supervisor. The Register shall be available to the appropriate Officers of the Responsible Authorities upon request.
6. Management and staff shall ensure that persons leaving the licensed premises conduct themselves in an orderly manner and do not in any way cause annoyance to residents and/or persons passing by.
7. Signs shall be displayed at the exits from the premises requesting that customers respect local residents and leave the premises in a quiet manner.
8. Local taxi numbers shall be available for customers to assist in ordering a taxi.
9. Any externally promoted event or large booking the Designated Premises Supervisor to contact the City Centre Safe office at Bootle Street Police Station at least 28 days prior to the event so that the event can be properly risk assessed.
10. A digital hard drive CCTV system shall be in operation to cover internal and external areas of the premises; any area where customers have legitimate access must be sufficiently illuminated for the purposes of CCTV.
11. All CCTV recorded images shall have sufficient clarity / quality / definition to enable facial recognition.
12. CCTV shall be kept in an unedited format for a period of 28 days, any DVDs subsequently produced shall be in a format so it can be played back on a standard personal computer or standard DVD player.
13. Any person left in charge of the premises must be trained in the use of any such CCTV equipment and able to produce / download / burn CCTV images upon request by a person from a responsible authority.
14. CCTV shall be maintained on a regular basis and kept in good working order.
15. CCTV maintenance records to be kept details of contractor used and work carried out to be recorded.
16. Plans indicating the position of CCTV cameras to be submitted to be lodged with City Centre Safe.
17. Where the recording is on a removable medium (i.e. videotape, compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.
18. Any person who tries to gain entry to the premises who is involved in disorderly conduct or anti-social behaviour outside the premises shall not be permitted entry to the premises. The premises licence holder shall ensure that any person within the premises who is involved in disorderly conduct or anti-social behaviour inside the premises shall be removed from the premises.
19. Prior to any drinks promotions being held at the premises the Premises Licence Holder or Designated Premises Supervisor must liaise with City Centre Safe at Bootle Street Police Station so the promotion can be fully risk assessed.
20. A ratio of 1:100 SIA registered staff to be on duty at the venue from 2100 to close Sunday to Thursday and 2000 to close Friday to Saturday. The need for extra supervision shall be assessed by the Licence Holder or DPS on a regular basis and shall be employed when and where deemed appropriate by that risk assessment.
21. The Nitenet radio link shall be implemented maintained and used.
22. A smoking policy to be drawn up by the Premises Licence Holder or Designated Premises Supervisor and agreed with Local residents, to include a clearly defined area and numbers permitted in area at one time and lodged with City Safe within 14 days of a premises licence being granted.
23. Clickers must be used to effectively manage the capacity during busy periods.
24. Not to allow to enter or to allow to remain in the premises any person who is notified to the Designated Premises Supervisor by Greater Manchester Police as being a person of bad character by way of association to other persons or by convictions at court.
25. The Designated Premises Licence Holder or their representative shall attend a minimum of 6 Pub & Clubwatch meetings annually.

26. Last entry times: Sunday to Thursday 0200, Friday and Saturday 0300.
27. Physical barrier to be placed near entrance to apartments above the premises to deter customers from congregating in the entrance to the apartments. The barriers to be in place between 2100 until close daily.
28. The licence holder shall take all reasonable steps to ensure that persons leaving the licensed premises conduct themselves in an orderly manner and do not in any way cause annoyance to residents and / or persons passing by.
29. No speakers shall be located outside the premises.
30. A direct telephone number for the Manager of the premises shall be made available to residents in the vicinity.
31. No refuse containing glass to be disposed of after 2300 or before 0700.
32. All regulated entertainment must pass through the tamper proof noise limiter set at a level as agreed by the City Council's Public Protection team.
33. A double door system shall be operated to gain entry into the basement to limit any sound emanation.
34. All windows and doors to be kept closed whilst regulated entertainment is taking place at the premises, except for access and egress.
35. A dispersal policy will be in force in respect of the premises and will be made available to any Responsible Authority upon request.
36. A written record shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as security personnel in a register kept for that purpose. That record shall contain the following details:-
  - (i.) the door supervisor's name, date of birth and home address;
  - (ii.) his/her Security Industry Authority licence number;
  - (iii.) the time and date he/she starts and finishes duty;
  - (iv.) the time of any meal breaks taken whilst on duty;
  - (v.) each entry shall be signed by the door supervisor.

That register shall be available for inspection on demand by officers of Responsible Authorities.
37. Door staff will wear high visibility outerwear.
38. CCTV system shall operate with a minimum of 8 cameras.
39. All managers shall undertake the SIA training course within 6 months of starting in that post.
40. Only plastic glasses and bottles shall be used after 2100 on the ground and basement floors. Management to assess and monitor other times when it may be considered appropriate to follow the company's Use of Plastic Glass policy.
41. The venue must keep an adequate supply of lollipops. Management will assess whether there is likely to be a large dispersal of patrons at any one time and, where such dispersal is likely, to appoint a member of staff to hand out lollipops to departing customers.

#### Annex 4 – Plans

See attached

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