

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Tuesday, 4 September 2018

Present: Councillor Grimshaw (Chair) – in the Chair

Councillors: Ludford and McHale

LACHP/18/135. Urgent Business - Application for a Premises Licence Variation for Affleck and Brown, Smithfield Buildings, 4 Hilton Street, Manchester, M4 1NB

The Committee considered all representations at the hearing. The Committee also considered the Council's Statement of Licensing Policy, the Licensing Act 2003, the Regulations made there under, the Guidance issued by the Secretary of State under Section 182 of that Act and the Licensing Objectives.

The Committee noted that agreement had been reached between the applicant and all parties who made a representation, so treated the matter as a determination.

Decision

To grant the application subject to the following conditions.

Conditions

Fridays and Saturdays, licensable activities to cease at 01.30, with closing (i.e. the time by which all customers are to leave the premises) to be 02.00.

LACHP/18/136. Application for a Premises Licence Variation for Abergeldie Cafe, 40 Shudehill, Manchester, M4 1EZ

The Committee considered all representations at the hearing. The Committee also considered the Council's Statement of Licensing Policy, the Licensing Act 2003, the Regulations made there under, the Guidance issued by the Secretary of State under Section 182 of that Act and the Licensing Objectives.

The Committee noted that agreement had been reached between the applicant and all parties who made a representation, so treated the matter as a determination.

Decision

To grant the application subject to the following conditions.

Conditions

1. On Friday and Saturday SIA registered door staff shall be employed at the premises from 02:00hours until 15 minutes after the premises close to help

with the orderly dispersal of customers. Whilst on duty door staff shall wear Hi visibility jackets.

**LACHP/18/137. Application for a New Premises Licence for Upper
Campfield Market Hall, Barton Street, Manchester, M3 4NN**

The Committee considered all representations at the hearing. The Committee also considered the Council's Statement of Licensing Policy, the Licensing Act 2003, the Regulations made there under, the Guidance issued by the Secretary of State under Section 182 of that Act and the Licensing Objectives.

The Committee noted that agreement had been reached between the applicant and all parties who made a representation, so treated the matter as a determination.

Decision

To grant the application subject to the following conditions.

Conditions

1. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, or a card bearing the PASS hologram.
2. The premises shall display prominent signage at any point of entry indicating that the Challenge 25 scheme is in operation.

**LACHP/18/138. Application for a New Premises licence for TBC, 1044
Stockport Road, Manchester, M19 3WX**

The Committee considered all representations at the hearing. The Committee also considered the Council's Statement of Licensing Policy, the Licensing Act 2003, the Regulations made there under, the Guidance issued by the Secretary of State under Section 182 of that Act and the Licensing Objectives.

The Committee noted that agreement had been reached between the applicant and all parties who made a representation, so treated the matter as a determination.

Decision

To grant the application subject to the following conditions.

Conditions

Licensing & Out of Hours Compliance:

Recorded Music

Sunday to Thursday Not Required

Friday to Saturday 2300 – 0000

Late Night Refreshment
Sunday to Thursday Not Required
Friday to Saturday 2300 – 0000
Supply of Alcohol
Sunday to Thursday 1100 – 2230
Friday to Saturday 1100 – 0000

Hours open to public
Sunday to Thursday 0900 – 2300
Friday to Saturday 0900 – 0030

Agreed conditions:

1. All windows and external doors shall be kept closed from 2200 or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
3. Speakers shall not be located outside the premises.
4. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
5. Clear notices shall be displayed upon exit of the premises reminding patrons to leave quietly.
6. Staff shall ensure egress of patrons shall be kept as quiet as possible to prevent a public nuisance with consideration to residents.
7. Tables and Chairs shall be rendered unusable by 2200 hours each day.
8. 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 the police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:
 - a) all crimes reported to the venue, or by the venue to the police
 - b) all ejections of patrons
 - c) any complaints received
 - d) any incidents of disorder
 - e) seizures of drugs, offensive weapons, fraudulent ID or other items
 - f) any faults in the CCTV system or searching equipment or scanning equipment
 - g) any refusal of the sale of alcohol
 - h) any visits by a relevant authority or emergency service
9. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in

possession of formal identification to enable to verify their identity against the notice.

10. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log, relevant age restrictions in respect of products, recognise the signs of drunkenness, how to refuse service, the premises duty of care, action to be taken in an emergency such as and including reporting an incident, evacuations and monitor staff to ensure staff training is put into practise. Documented records of training completed shall be kept for each staff member. Training shall be regularly refreshed and at no greater than 6 monthly intervals.
11. No deliveries to or collection of waste from the premises between 2200 and 0700 hours.
12. No glass waste shall be moved or placed in outside areas between 2000 and 0700 hours.

LACHP/18/139. Application for a New Premises Licence for Flock, 5 Gateway House, Piccadilly Station Approach, Manchester, M1 2GH

The Committee considered all representations at the hearing. The Committee also considered the Council's Statement of Licensing Policy, the Licensing Act 2003, the Regulations made there under, the Guidance issued by the Secretary of State under Section 182 of that Act and the Licensing Objectives.

The Committee noted that agreement had been reached between the applicant and all parties who made a representation, so treated the matter as a determination.

Decision

To grant the application on the basis that on-sales only will take place as an amendment to the activities applied for, as shown in the "Proposed licensable activities and opening hours to be granted" and subject to the following conditions.

Conditions

1. The premises shall install and maintain a comprehensive (colour) CCTV system. All public areas of the licensed premises, including all public entry/exit points and outdoor seating will be covered. The CCTV cameras shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. Any CCTV footage must be in a format that can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (flash drive etc), a secure storage system to store those recording mediums shall be provided. A staff member who is trained 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 authorised officer of the licensing authority.

2. Tables are cleared of all bottles and glassware on a regular basis during trading hours to avoid an accumulation of glassware.
3. 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 which will record the following incidents:
 - a. All crimes reported to the venue, or by the venue to the Police;
 - b. All ejections of patrons;
 - c. Any incidents of disorder;
 - d. Fraudulent ID or other items;
 - e. Any faults in the CCTV system;
 - f. Any refusal of the sale of alcohol;
 - g. Any visit by a relevant authority or emergency services.
4. The premises licence holder shall ensure that at all times when public is present there is at least one competent person able to administer first aid, that an adequate and appropriate supply of first aid equipment and materials is available on the premises, and that adequate records are maintained in relation to the supply of any first aid.
5. No deliveries must be made to the premises between 23:00 and 08:00 hours.
6. No bottles, glasses or similar items may be disposed of in outside receptacles between 23:00 and 08:00 hours.
7. Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.
8. Staff must ensure customers do not congregate outside the premises so as to cause a public nuisance.
9. The premises and immediate area shall be kept clean and free from litter at all times the premises are open to the public.
10. Alcohol consumed outside the premises (in the tables and chairs area, subject to the required permissions) shall only be consumed by patrons seated at tables.
11. A "Challenge 25" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of identification shall be photographic driving licences, passports or a form of identification bearing the Pass hologram.
12. The premises shall display prominent signage indicating that the challenge 25 scheme is in operation.

13. All staff shall be trained in: responsible alcohol sales including recognising signs of drunkenness, preventing underage sales, refusal skills and drugs awareness; Proxy Sales; managing and resolving conflict; actions to be taken in the event of an emergency; Fire Safety and Evacuation procedures; licence conditions; relevant obligations and offences under the Licensing Act 2003, including those associated with the sale of alcohol.
14. Documented records of all training completed shall be kept for each member of staff and regularly refreshed no greater than six monthly intervals. Training records shall be made available for inspection upon request by GMP or an authorised officer of the licensing authority.