



Licensing Sub Committee Hearing Panel

Date: Tuesday, 4 September 2018
Time: 10.00 am
Venue: Room 132, Town Hall, Albert Square

Everyone is welcome to attend this committee meeting.

Access to the Town Hall

Public access to the Town Hall is via the access ramp next to the Lloyd Street entrance. Members of the public should report to the reception desk.

Membership of the Licensing Sub Committee Hearing Panel

Councillors – Ludford (Chair), Grimshaw and McHale.

Agenda

- 1. Urgent Business - Application for a Premises Licence Variation for Affleck and Brown, Smithfield Buildings, 4 Hilton Street, Manchester, M4 1NB**
To consider any items which the Chair has agreed to have submitted as urgent.
- 2. Appeals**
To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.
- 3. Interests**
To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.
- 4. Application for a Premises Licence Variation for Abergeldie Cafe, 40 Shudehill, Manchester, M4 1EZ** 5 - 6
- 5. Application for a New Premises Licence for Upper Campfield Market Hall, Barton Street, Manchester, M3 4NN** 7 - 8
- 6. Application for a New Premises licence for TBC, 1044 Stockport Road, Manchester, M19 3WX** 9 - 12
- 7. Application for a New Premises Licence for Flock, 5 Gateway House, Piccadilly Station Approach, Manchester, M1 2GH** 13 - 16

Information about the Committee

The Licensing and Appeals Committee fulfills the functions of the Licensing Authority in relation to the licensing of taxi drivers.

A procedure has been agreed which governs how the Panel will consider such applications.

Decisions made by the Panel will be under delegated authority and will not require to be referred to the Council for approval. Meetings are controlled by the Chair, who is responsible for seeing that the business on the agenda is dealt with properly.

Copies of the agenda are published on the Council's website. Some additional copies are available at the meeting from the Governance Support Officer.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

Smoking is not allowed in Council buildings.

Joanne Roney OBE
Chief Executive
Level 3, Town Hall Extension,
Albert Square,
Manchester, M60 2LA

Further Information

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

Beth Morgan
Tel: 0161 234 3043
Email: b.morgan@manchester.gov.uk

This agenda was issued on **Friday, 24 August 2018** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 6, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA

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Licensing Act 2003 (Hearings) Regulations 2005

Reference: 215625
Name: Abergeldie Cafe
Address: 40 Shudehill, Manchester, M4 1EZ
Ward: Piccadilly
Application Type: Premises Licence variation
Name of Applicant: Mr Mazaffar Saleem
Date of application: 11/07/2018

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted

Provision of late night refreshment:

Current hours:

Mon to Thurs 2300 to 0200, Fri to Sat 2300 to 0230 and Sun 2300 to 0000

Proposed hours:

Mon to Thurs 2300 to 0200, Fri to Sat 2300 to 0430 and Sun 2300 to 0000

Opening hours:

Current hours:

Mon to Thurs 2300 to 0200, Fri to Sat 2300 to 0230 and Sun 2300 to 0000

Proposed hours:

Mon to Thurs 2300 to 0200, Fri to Sat 2300 to 0430 and Sun 2300 to 0000

Representations received

| | |
|---------------------------|--|
| Greater Manchester Police | Prevention of Crime and Disorder Prevention of Public Nuisance Public Safety |
|---------------------------|--|

Agreements between parties**Greater Manchester Police:**

On Friday and Saturday SIA registered door staff shall be employed at the premises from 0200hours 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, GMP are happy for the variation to be granted with this condition attached.

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
- Original application form
- Representations made against application and respective agreements



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 216279
Name: Upper Campfield Market
Address: Exhibition Hall, Campfield Market, Liverpool Road, Manchester, M3 3NG
Ward: Deansgate
Application Type: Premises Licence (new)
Name of Applicant: Action against hunger UK
Date of application: 26/07/2018

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

| Proposed licensable activities and opening hours to be granted |
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| <p><u>Licence requested for one day only - 06/09/2018</u></p> <p>Live music and recorded music: 18:00 to 23:00 Indoor</p> <p>The supply of alcohol for consumption on the premises only: 18:00 to 23:00</p> <p>Opening hours: 18:00 to 23:00</p> |
|---|

| Representations received | |
|---------------------------------|--|
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| Trading Standards | Application is not quite detailed enough to show that the applicant has full understanding of their responsibilities under the licensing objectives. |
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Agreements between parties**Trading Standards**

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.

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
- Original application form
- Representations made against application and respective agreements



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 215723
Name: TBC
Address: 1044 Stockport Road, Manchester, M19 3WX
Ward: Levenshulme
Application Type: Premises Licence (new)
Name of Applicant: Little Bittern Limited
Date of application: 11/07/2018

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted

Provision of regulated entertainment (recorded music):

Thursday 2300 to 2330

Fri & Sat 2300 to 2400

Provision of late night refreshment:

Sun to Wed 2300 to 2330

Thursday 2300 to 2400

Fri & Sat 2300 to 0030

The supply of alcohol for consumption both on and off the premises:

Sun to Wed 1100 to 2300

Thursday 1100 to 2330

Fri & Sat 1100 to 2400

Opening hours:

Sun to Wed 0900 to 2330

Thursday 0900 to 2400

Fri & Sat 0900 to 0030

None Standard Timings / Season Variations –

An additional hour to the permitted timings on: the Thursday preceding Good Friday; Sundays preceding Bank Holiday Mondays, Christmas Eve; Boxing Day; New Year's

Eve and Halloween.

Representations received

Licensing & Out of Hours
Compliance

Grounds for objection, potential risk of public nuisance due to noise from customers, staff and clean up to local residents.

Agreements between parties

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

List 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.

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
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- Representations made against application and respective agreements

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Licensing Act 2003 (Hearings) Regulations 2005

Reference: 215000
Name: Flock
Address: 5 Gateway House, Piccadilly Station Approach,
Manchester, M1 2GH
Ward: Piccadilly
Application Type: Premises Licence (new)
Name of Applicant: FLOCK (MCR) LTD
Date of application: 19/07/2018

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted

The supply of alcohol for consumption on the premises only:
Mon to Sat 0800 to 2300, Sun 0900 to 2200

Opening hours:
Mon to Sat 0800 to 2300, Sun 0900 to 2200

Representations received

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|-------------------------------------|--|
| Greater Manchester Police | Greater Manchester Police make representation on the grounds of Prevention of Crime and Disorder and the Prevention of Public Nuisance. |
| Licensing & Out of Hours Compliance | Licensing and Out of Hours have assessed the likely impact of the grant of this application taking into account a number of factors and have made representation on this basis |

Agreements between parties

Greater Manchester Police:

Agreement is reached on the basis that on-sales only will take place – this is not a condition but an amendment to the activities applied for, as shown in the “Proposed licensable activities and opening hours to be granted” box above.

Licensing & Out of Hours Compliance:

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.

Tables are cleared of all bottles and glassware on a regular basis during trading hours to avoid an accumulation of glassware.

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:

- All crimes reported to the venue, or by the venue to the Police;
- All ejections of patrons;
- Any incidents of disorder;
- Fraudulent ID or other items;
- Any faults in the CCTV system;
- Any refusal of the sale of alcohol;
- Any visit by a relevant authority or emergency services.

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.

No deliveries must be made to the premises between 23:00 and 08:00 hours.

No bottles, glasses or similar items may be disposed of in outside receptacles between 23:00 and 08:00 hours.

Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.

Staff must ensure customers do not congregate outside the premises so as to cause a public nuisance.

The premises and immediate area shall be kept clean and free from litter at all times the premises are open to the public.

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.

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.

The premises shall display prominent signage indicating that the challenge 25 scheme is in operation.

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.

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.

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
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