

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Tuesday, 25 September 2018

Present: Councillor Grimshaw (Chair) – in the Chair

Councillors: Barrett and Hassan

LACHP/18/133. Urgent Business

Application for a New Premises Licence for Dazzling Café, 58 Mosley Street, Manchester, M2 3HZ

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. An incident log 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.
2. A risk assessment shall be carried out to assess the need for SIA approved door supervisors to ensure the safe control of the premises and shall review this on a regular basis.
3. All staff shall be trained in the Licensing Objectives, age restrictions in relation to alcohol, recognising signs of drunkenness, how to refuse service, and duty of care. The premises licence holder shall ensure that all staff are trained to prevent underage sales, are aware of and prevent proxy sales and maintain the refusals log. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed every 6 months. Training records shall be made available for inspection upon request by a Police Officer or an authorised officer of the licensing authority.
4. The premises shall display prominent signage indicating that it is an offence to sell alcohol to anyone who is drunk.
5. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who

refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the licensing authority at all times while the premises are open.

6. The premises shall install and maintain a comprehensive digital CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the street environment will be covered, enabling facial identification of every person entering in any light condition. 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. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce/download/burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format that can be played back on a standard personal computer or standard DVD player.
7. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
8. 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 verify their identity against the notice.
9. Open containers of alcohol shall not be removed from the premises.
10. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
11. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance. They shall ensure that the area at the front of the premises is kept free from litter, and shall provide a receptacle for rubbish.
12. At the end of each trading day, the pavement from the building line to the kerb edge immediately outside the premises shall be swept or washed, and litter sweepings collected and stored in accordance with the approved waste storage arrangements.
13. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
14. 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, photocard driving licence, an EU/EEA national ID card or a card bearing a PASS hologram.

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

16. The display shall display prominent signage indicating that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.

LACHP/18/134. Application for a New Premises Licence for Mollie's Motel Diner, Atherton Street, Manchester, M60 9EA

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 heard from the Applicant as to the nature of the premises they intend to operate and that the main emphasis was on being a hotel and that the comfort of their guests was the priority and there was no intention to cause a nuisance to them or anyone else in the neighbourhood.

The Committee were encouraged by the fact there had been extensive consultation with Responsible Authorities and local residents prior to the application being submitted. They noted that agreement had been reached with GMP and LOOH to add extra conditions. The Committee also noted that no residents had objected from the nearest residential apartment block, Bauhaus.

The Committee accepted that the premises was not going to operate as a late night vertical drinking bar or nightclub and that the diner downstairs was food led. The Committee viewed that sufficient controls were being put in place to prevent the roof top bar causing a nuisance including that all licensable activities outside will cease by 11pm with the outside area fully closed by midnight.

The Committee carefully considered the written representations from the resident objector, who was not in attendance. The Committee also considered the original and further written representations from the councillors, who were also not in attendance. The Committee were of the view that with the comments of the Applicant as to the nature of the business intending to operate, the conditions in their operating schedule and the additional conditions agreed that these concerns had been appropriately addressed.

Taking all of the representations into account the Committee were satisfied that the Applicant was a responsible operator and that the licensing objectives' would be upheld if the licence was granted with the additional conditions agreed.

Decision

To grant the application subject to the following conditions.

Conditions

1. On Friday and Saturday a minimum of 1 SIA registered door staff shall be employed at the premises from 2200 hours until 0400 hours. At all other times the requirement for door staff shall be determined in accordance with a risk assessment carried out by the DPS. When employed door staff shall wear hi-vis armbands.
2. All staff shall be trained in:
 - a. How to refuse service.
 - b. Child welfare training including child exploitation in the hospitality industry.
 - c. Action to be taken in the event of an emergency and reporting an incident to the emergency services.
3. All external ground floor fire exit doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened.
4. The premises licence holder shall ensure that all times when the 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, that adequate records are retained in relation to the supply of any first aid treatment.
5. All staff on duty at the premises shall be trained in fire safety and evacuation procedures for the premises and aware of their individual responsibilities, this includes any door supervisors.
6. Staff training shall include procedures to deal effectively with emergency incidents including:
 - a. Reporting an emergency to the relevant emergency service.
 - b. Safe evacuation of customers.
 - c. Dealing with terrorist threats or incidents.
7. The licence holder shall enter into an agreement with a hackney carriage and/or private hire firm to provide transport for customers with contact numbers made readily available to customers. Where possible a call back system will be operated and drivers instructed not to sound their horns when collecting customers.
8. No unaccompanied children shall be permitted entry to the restaurant areas after 2200.
9. Speakers shall not be located to the external perimeter of the premises save for intercom system use and for safety announcements (for the sake of clarity this does not prevent the use of speakers on the pool side or terrace areas).
10. No regulated entertainment shall be provided in the external area of the roof top terrace.