



Licensing Sub Committee Hearing Panel

Date: Wednesday, 16 January 2019
Time: 11.00 am, or at the rise of Executive.
Venue: Council Antechamber - Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

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. 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

Councillors - Ludford (Chair), Chohan and C Paul

Agenda

1. Urgent Business

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 Summary Review for Lounge, 29 Withy Grove, Manchester M4 2BJ.

5 - 26

The report of the Head of Planning, Building Control and Licensing is attached.

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 **Tuesday, 15 January 2019** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA

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**Licensing Act 2003 (Hearings) Regulations 2005**

Reference: 224069
Name: The Lounge
Address: 29-31 Withy Grove, Manchester, M4 2BJ
Ward: Piccadilly

Hearing Date: 16/01/2019

Application Type: Summary Review of Premises Licence
Licence Holder: UMS Events Ltd
Date of review application: 14/01/2019

Summary of application

An application for the summary review of premises licence number 089714 under section 53A of the Licensing Act 2003 was submitted by Greater Manchester Police on 14/01/2019. The grounds of the application for review are that in the opinion of a senior police officer the premises are associated with serious crime or serious disorder or both.

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Application	3
Existing licence	
Plan of premises	

Considerations

In determining the application, the Sub-Committee must give appropriate weight to:

- a) the steps that are appropriate to promote the licensing objective(s);
- b) the representations (including supporting information) presented by all the parties;

In determining the application, the Sub-Committee must also have regard to:

- c) the s182 Guidance to the Licensing Act 2003 by the Home Secretary;
- d) Manchester City Council's Statement of Licensing Policy
- e) The Licensing Act 2003 and the regulations made there under
- f) Licensing Objectives

Reasons should be given for any departure from c and d above.

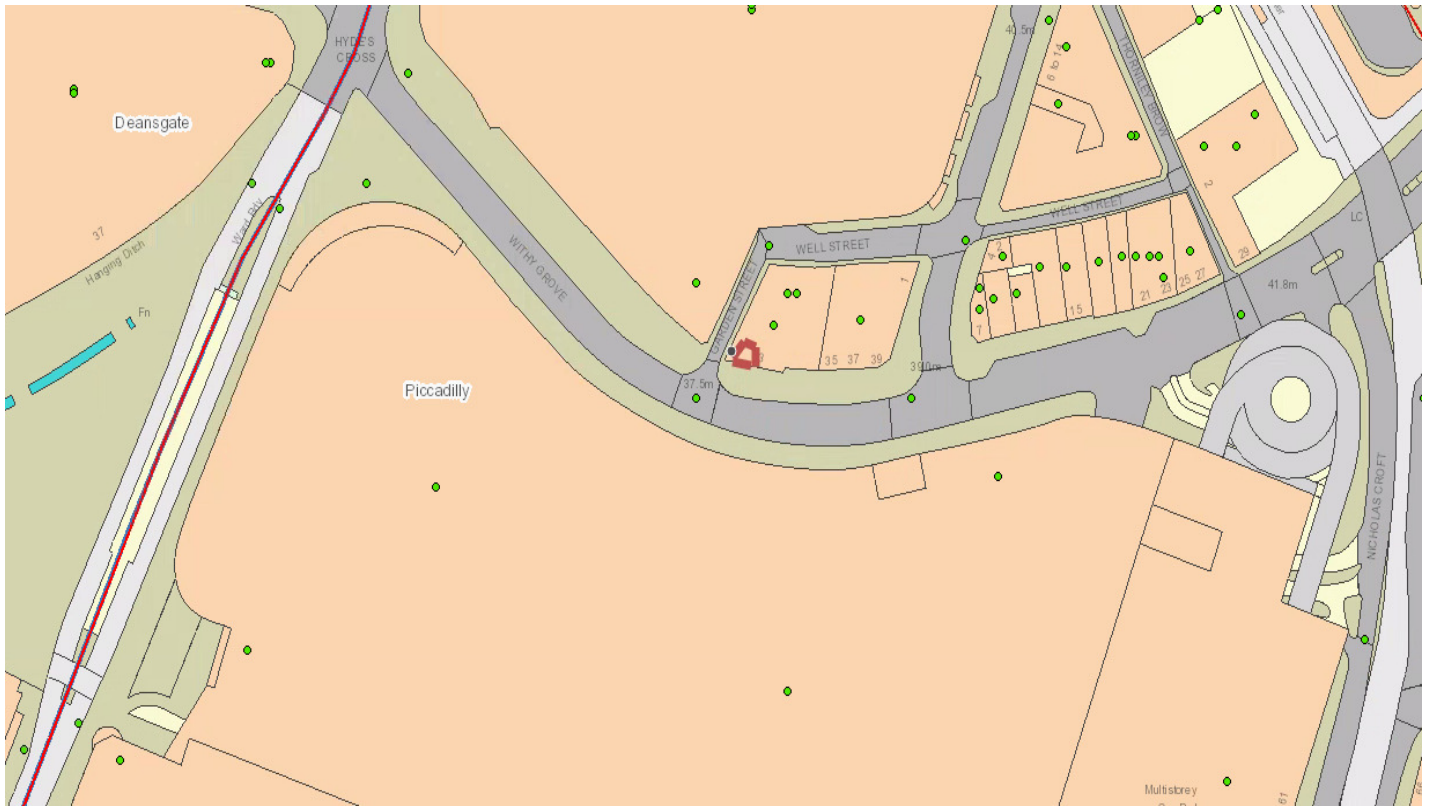
Summary Review – Interim Steps

The Sub-Committee must take such of the steps under section 53(B) of the Licensing Act 2003 (if any), that it considers appropriate for the promotion of the licensing objectives. The steps are:

1. To modify the conditions of the licence;
2. To exclude any of the licensable activities from the licence;
3. To remove the designated premises supervisor;
4. To suspend the licence

The conditions of the licence are modified if any of them is altered or omitted or any new condition is added. Modification of the conditions of the premises licence can include altering or modifying existing conditions or adding any new conditions, including those that restrict the times at which licensable activities authorised by the licence can take place.

Where the Sub-Committee consider that none of the above steps are appropriate for the promotion of the licensing objectives, no action should be taken in respect of the licence.



The Lounge
29-31 Withy Grove, Manchester, M4 2BJ

ANNEX B

Greater Manchester Police
 Central Park
 Northampton Road
 Manchester

22/07/10

CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with serious crime / serious disorder / both serious crime and serious disorder¹.

*Premises*²:
 The Lounge
 29 Withy Grove
 Manchester
 M4 2BJ

Premises licence number (if known): 89714

Name of premises supervisor (if known): UMS Events Ltd

I am a Superintendent ³ in the Greater Manchester police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because⁴:

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns as to the extreme violence which has occurred at the premises and the lack of action from the premises.

Greater Manchester Police (GMP) will say that the premises are associated with Serious Disorder. Therefore due to the Serious Disorder which has taken place at the premises GMP feel that it is necessary for an expedited review to take

¹ Delete as applicable.

² Include business name and address and any other relevant identifying details.

³ Insert rank of officer giving the certificate, which must be superintendent or above.

⁴ Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.

place.

The premises are situated on Withy Grove in Manchester city centre and the premises licence was issued on 19/05/2006. The Premises Licence Holder (PLH) is UMS Events Ltd and the Designated Premises Supervisor (DPS) is Mr Edward Odudo who has held this position since 10th January 2012.

The incident which has triggered this Summary Review is as follows:

At 0614 hours on Saturday 5th January 2019 GMP were contacted by City Centre CCTV control stating that there were 3 or 4 males fighting outside Lounge on Withy Grove.

At 0616 hours GMP were contacted by a member of the public who stated that there were 20 - 25 males fighting outside the premises but that he had now left the location so had no further details.

CCTV control updated further that some of the males were now taking off their belts.

A few minutes later the first police patrol arrived on Withy Grove and stated that there is nothing ongoing and the premises are shut. Another police patrol stated that a group of males have run towards the Urbis.

CCTV of the incident has been obtained from the City Centre control room and what it shows is an extended incident of extreme violence which begins on the door step of the premises between a small number of people and escalates very quickly into a large scale Violent Disorder involving numerous people which spreads out right across the street.. Several people are assaulted and some of the males take off their belts and use them as weapons. People are seen to be punched or kicked to the floor and then kicked by groups of males whilst they are lay on the ground.

The incident lasted approximately 7 minutes and at no point during this time did the premises contact GMP to report this large scale fight and they also did not report the incident over Nite Net which is condition on their Premises Licence. This has been confirmed by CityCo who run the Nite Net system. The footage at the end of the clip shows that the premises have pulled down their shutter and officers who attended at the scene stated that the premises were shut on their arrival.

Therefore GMP have serious concerns as to this incident of violence which went unreported by the premises and from looking at the CCTV it is clear that serious injury could very easily have been caused.

As recently as the weekend of the 11th - 13th of January 2019 there were 2 incidents reported at the premises.

At 0446 hours on Saturday 12th January 2019 door staff at the premises asked 2 police officers who were on Withy Grove to enter the premises and assist with a fight that was happening on the dance floor. Once the officers were inside the premises and were trying to deal with the disturbance they were surrounded by up to 20 customers and the officers activated their emergency buttons to summon other police to the location. Luckily the incident de escalated fairly quickly and the officers left the premises unharmed.

At 0426 hours on Sunday 13th January 2019 GMP were contacted by CCTV control stating that the door staff at the premises had detained a male with a knife. Police patrols attended and a male was found in possession of a knife and arrested.

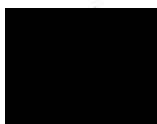
There have been several other incidents of violence or disorder at the premises over the past 12 months and details of these will be disclosed at the full hearing. Whilst reviewing CCTV footage on Monday 14th January 2018 of previous incidents at the premises, the seriousness of this incident on 5th January 2019 became apparent and hence this Summary Review application.

The powers contained under section 53A of the Licensing Act 2003 are necessary and proportionate in light of the association that the premises has to Serious Disorder.

The premises were subject of a previous Summary Review in 2011 when there was another large scale disturbance outside the premises, so this is not the first time that the premises have found themselves at an Interim Steps hearing.

In the interim Greater Manchester Police would request that the Licensing Authority consider suspension of the Premises Licence until the full review is heard before the committee. Serious Disorder has occurred at the premises and until the Licensing Committee hear the full review and all the evidence that will be disclosed, to allow the premises to continue to operate as a licensed premises gives concerns that further violent incidents will occur at the premises and the safety of both customers and staff will be placed in jeopardy. Greater Manchester Police will say that the licensing objectives of the Prevention of Crime and Disorder and Public Safety can only be promoted if the premises licence was suspended until the final determination of the summary review application.

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take. There are serious concerns as to the extreme level of violence that has occurred. Greater Manchester Police believe that Serious Disorder has occurred at the premises.



Sup T
8569

14/1/19

(Signed)

(Date)

ANNEX C

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

Manchester City Council

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

I [REDACTED] [on behalf of] the chief officer of police for the Greater Manchester police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**The Lounge
29 Withy Grove**

Post town: Manchester

Post code (if known): M4 2BJ

2. Premises licence details:

Name of premises licence holder (if known): UMS Events Ltd

Number of premises licence holder (if known): 4447014

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with

serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

4. Details of association of the above premises with serious crime, serious disorder or both:

[Please read guidance note 2]

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns as to the extreme violence which has occurred at the premises and the lack of action from the premises.

Greater Manchester Police (GMP) will say that the premises are associated with Serious Disorder. Therefore due to the Serious Disorder which has taken place at the premises GMP feel that it is necessary for an expedited review to take place.

The premises are situated on Withy Grove in Manchester city centre and the premises licence was issued on 19/05/2006. The Premises Licence Holder (PLH) is UMS Events Ltd and the Designated Premises Supervisor (DPS) is Mr Edward Odudo who has held this position since 10th January 2012.

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CCTV of the incident has been obtained from the City Centre control room and what it shows is an extended incident of extreme violence which begins on the door step of the premises between a small number of people and escalates very quickly into a large scale Violent Disorder involving numerous people which spreads out right across the street.. Several people are assaulted and some of the males take off their belts and use them as weapons. People are seen to be punched or kicked to the floor and then kicked by groups of males whilst they are lay on the ground.

The incident lasted approximately 7 minutes and at no point during this time did the premises contact GMP to report this large scale fight and they also did not report the incident over Nite Net which is condition on their Premises Licence. This has been confirmed by CityCo who run the Nite Net system. The footage at the end of the clip shows that the premises have pulled down their shutter and officers who attended at the scene stated that the premises were shut on their arrival.

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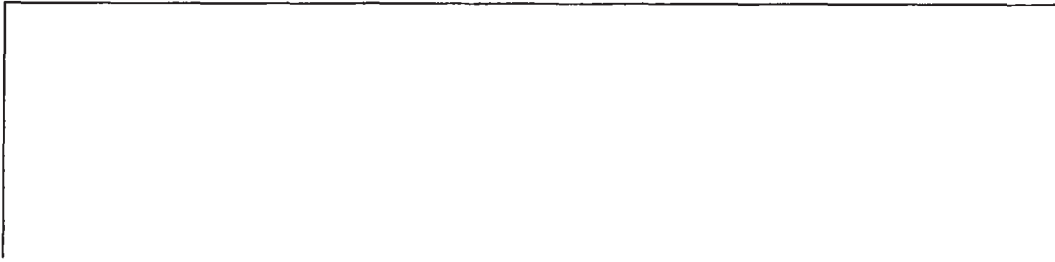
There have been several other incidents of violence or disorder at the premises over the past 12 months and details of these will be disclosed at the full hearing. Whilst reviewing CCTV footage on Monday 14th January 2018 of previous incidents at the premises, the seriousness of this incident on 5th January 2019 became apparent and hence this Summary Review application.

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In the interim Greater Manchester Police would request that the Licensing Authority consider suspension of the Premises Licence until the full review is heard before the committee. Serious Disorder has occurred at the premises and until the Licensing Committee hear the full review and all the evidence that will be disclosed, to allow the premises to continue to operate as a licensed premises gives concerns that further violent incidents will occur at the premises and the safety of both customers and staff will be placed in jeopardy. Greater Manchester Police will say that the licensing objectives of the Prevention of Crime and Disorder and Public Safety can only be promoted if the premises licence was suspended until the final determination of the summary review application.

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take. There are serious concerns as to the extreme level of violence that has occurred. Greater Manchester Police believe that Serious Disorder has occurred at the premises.



Signature of applicant: 
Date: 14/11/19
Capacity: Licensing Constable

Contact details for matters concerning this application:

Address:
**Manchester Town Hall Extension
Lloyd Street
Manchester
M2 5DB**

Telephone number(s): 0161 856 6017

Email: 

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.



MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	089714
Granted	19/05/2006
Latest version	Minor variation 216883 granted 28/08/2018

Part 1 - Premises details

Name and address of premises
The Lounge 29 Withy Grove, Manchester, M4 2BJ
Telephone number
0843 289 9614

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

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	0430	0430	0430	0430	0630	0630	0430
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non standard Timings:							
To extend permitted hours to 1000 to 0630 on any night preceding a Bank Holiday From the start time on New Year's Eve to the terminal hour for New Year's Day.							

Live music							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	0430	0430	0430	0430	0630	0630	0430
Licensed to take place indoors only. Live music is only permitted in the basement area of The Lounge.							
Seasonal variations and Non standard Timings:							
To extend permitted hours to 1000 to 0630 on any night preceding a Bank Holiday From the start time on New Year's Eve to the terminal hour for New Year's Day.							

Recorded music							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	0430	0430	0430	0430	0630	0630	0430
Licensed to take place indoors only.							
Seasonal variations and Non standard Timings:							
To extend permitted hours from to 1000 to 0630 on any night preceding a Bank Holiday. From the start time on New Year's Eve to the terminal hour for New Year's Day.							

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0400	0400	0400	0400	0400	0400	0400
Licensed to take place indoors only.							
Seasonal variations and Non standard Timings:							
None.							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	0500	0500	0500	0500	0700	0700	0500
Seasonal variations and Non standard Timings:							
To extend permitted hours to 1000 to 0700 on any night preceding a Bank Holiday From the start time on New Year's Eve to the terminal hour for New Year's Day.							

Part 2

Details of premises licence holder	
Name:	UMS Events Ltd
Address:	23 New Mount Street, Manchester, M4 4DE
Registered number:	4447014

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	Mr Edward Odudo
Address:	██
Personal Licence number:	807
Issuing Authority:	Bury Metropolitan Borough Council

Annex 1 – Mandatory conditions
<p>Door Supervisors</p> <p>1. Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: -</p> <ul style="list-style-type: none"> (a) Unauthorised access or occupation (e.g. through door supervision), (b) Outbreaks of disorder, or (c) Damage, <p>unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.</p>

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) “valued 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.

Annex 2 – Conditions consistent with the operating schedule

1. A CCTV system equipped with a recording facility shall be installed inside of premises on both floors and outside of the premises monitoring the front entrance and shall be maintained and operated at the premises. Recorded images shall be retained for 31 days. The system shall be installed following consultation with Greater Manchester Police.
2. Regulated entertainment shall be confined to the basement area of the premises.
3. Sufficient numbers of staff shall be employed from 1100 each day, at the entrance to the basement of the premises, to serve customers and keep queuing down to a minimum.
4. A conspicuous and legible notice shall be displayed near the entrance of the premises advising that any customers who refuse to be searched shall be refused entry.
5. An effective search policy shall be implemented for the purpose of randomly searching customers who enter the basement of the premises.
6. With regard to drugs: All staff shall be provided with adequate and suitable training to enable them to identify the signs and symptoms of drug use/abuse. Any drugs found following a search shall be confiscated, a record shall be made in a logbook, which shall be kept at the premises, and the items shall be surrendered to Greater Manchester Police.
7. The management and staff shall ensure that glasses are collected regularly, throughout the basement area of the premises at all times the premises are in use.
8. The management shall ensure that door staff monitor the toilet accommodation at regular intervals and that they remain vigilant and identify any suspicious behaviour.
9. The management shall ensure that regular inspections and maintenance of the fire extinguishers and electrical equipment takes place.
10. There shall be continued Public Liability Insurance in respect of the premises.
11. An evacuation procedure which includes emergency exit from the premises by disabled customers shall be implemented at the premises and all staff shall be fully briefed in the procedure.
12. All staff shall be provided with adequate and suitable training to make them aware of the problems associated with the spiking of drinks and how to reduce the risks of the same.
13. An air conditioning system shall be installed in both levels of the premises.
14. The air conditioning and ventilation machinery shall be maintained in such a condition as not to produce excessive noise, which shall be maintained so as not to produce excessive noise which is likely to cause a nuisance to nearby properties
15. All windows and doors (except those used for emergency purpose or those used for normal entry/egress) in the basement area shall be kept closed at all times regulated entertainment is taking place.
16. Noise limiter device shall be fitted to any amplification equipment. All music equipment shall be routed through a noise limiter.
17. Refuse collections from the premises or the emptying of bottles shall not take place between the hours of 2300 each evening and 0700 the next morning.
18. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
19. A conspicuous and legible notice shall be displayed near the entrance of the premises advising customers to consider local residents and to leave the premises in a quiet and orderly manner.
20. Whenever regulated entertainment is taking place, relaxing and low-level music shall be played in the half hour prior to the termination of any such entertainment.
21. Any person who appears to be under the age of 21 shall be asked to produce evidence of their identity. Such evidence must be in the form of a Portman group card, a photo driving licence, passport, citizen card or validated UK card.

Annex 3 – Conditions attached after hearing by the licensing authority

1. The licence holder or member of staff shall attend at least 6 local club and pub watch meetings annually.
2. A method of communicating between the Council's Central Watch and other licensed premises by text/pager or radio links shall be provided at the premises.
3. When the premises are open to the public, the communications link to the Council's Central Watch or other licensed premises shall be switched on and available to and monitored by the Designated Premises Supervisor or nominated member of staff.
4. All incidents of crime or disorder in the premises shall be reported via the text/pager/radio link to the Council's Central Watch by the DPS or nominated member of staff.
5. All lawful instructions and directions given by the Police to be complied with by DPS and all staff.
6. No person in possession of a drink in a sealed or unsealed container shall be allowed to enter the premises except for the purposes of delivery.
7. The proprietors shall install and maintain in good working order a club ID scan system or similar. The system shall be capable of recording and retaining a record of the identity of patrons entering the premises.
8. All patrons shall be required to produce suitable identification as a condition of initial entry to the premises.
9. Suitable identification is restricted to: Passport, Photo Driving Licence, PASS Card or NUS Card.
10. A T.V. monitor shall be placed in the reception area in a position, which makes it clearly visible to patrons on entry to the premises.
11. A digital record shall be kept of all persons entering and exiting the premises. The records shall be kept for at least 31 days and available to the Police or other responsible authorities on request.
12. A minimum of two SIA registered door staff provided by an ACS accredited company shall be employed on the premises at all times they are open to the public. The level of SIA registered staff shall continually be risk assessed and increased if necessary.
13. The external area of the premises shall be supervised to ensure that members do not congregate on leaving and that persons who cannot gain entry leave the area quickly and quietly.
14. Notices shall be displayed at exits requesting patrons leave quietly.
15. The premises shall only provide numbers for taxi firms that operate a ring back facility.
16. Regular quarterly meetings shall be held with local residents.
17. A night-net radio link shall be implemented, maintained and used.
18. Clickers shall be used to effectively manage capacity.
19. 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 or DPS 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.
20. Management shall not allow to enter or allow to remain in the premises any person who is notified to the DPS by GMP as being a person of bad character by way of association to other persons or by convictions at Court.
21. Management shall ensure that the Smoking Policy as agreed with GMP is implemented and adhered to.
22. Management shall ensure that the Dispersal Policy as agreed with GMP is implemented and adhered to.
23. When the premises are being used for externally promoted events then the City Safe and events office at Bootle Street Police Station shall be notified at least 28 days prior to the event taking place in order that a risk assessment be carried out by the DPS in relation to any such event.
24. A tamper proof noise limiter shall be installed on the ground floor and set at a level determined by Manchester City Council's Environmental Health Department, in conjunction with the Premises

License Holder and the residents of the flats above. The levels set shall be reviewed at quarterly intervals or at the request of any of the parties.

25. There shall be no speakers near to the entrance door to the premises.
26. A metal detector arch shall be installed on the entrance to Lounge 31 and shall be in operation at all times that Lounge 31 is open to the public.
27. National shall not to be used to provide door staff for the premises.
28. After 0400 two members of the security team shall be assigned outside of the venue to help the smooth dispersal of customers away from the front of the venue and towards the taxi rank down the road or up the street to other food outlets.
29. There shall be a last entry time for patrons of 1 hour before closing.
30. In the event patrons are causing a nuisance queuing outside the premises, door staff shall remind them to be aware of local residents.
31. On any day the premises wishes to open past 0400, at least two SIA door security shall be employed at the premises from 2200 and one additional door security from 0330 to assist with dispersal of patrons away from the premises.
32. Whilst the premises is operating , regular checks shall be made outside the premises to ensure the area is kept clean and free from litter , these checks shall be documented. At the close of business each day staff shall ensure that there is no litter outside the premises.

Annex 4 – Plans

See attached

Description of proposed variation as given by the applicant:

1. The application is to remove the areas of BFS & Funky Chicken from the licence, leaving The Lounge as the only licensed area.
2. To remove all conditions relevant to BFS & Funky Chicken from the licence (Annex 3 conditions 7 to 15)
3. To confirm the current & correct plan for The Lounge

The application indicates that discussions have taken place with the Licensing Unit in advance of submitting this application.

Changes to conditions:

The conditions requested to be removed are pasted below:

Funky Chicken.

- No alcohol sales or other licensable activities save for late night refreshment to be carried on from the Funky Chicken part of the premises.
- On Fridays and Saturdays at least one SIA registered member of door staff to be employed from 0000 until close.
- At other times the requirement for SIA registered door staff shall be risk assessed and be provided if deemed necessary.
- Door staff are to monitor and assist in encouraging patrons to move away from the front of the premises on Withy Grove.
- Regular checks shall be made outside the premises by staff to ensure that the area is kept clean and free from litter.

BFS.

- On Fridays and Saturdays at least one SIA registered door staff to be employed on the premises from 0000 to 0330. At other times the level of SIA staff shall be continually risk assessed and provided or increased if necessary.
- Between the hours of 0000 and 0330 alcohol shall only be sold by a person who holds a Personal Licence.
- Signs shall be displayed on the premises stating that it is an offence to continue to drink alcohol on the street when asked to stop by a Police Officer.
- Regular checks shall be made outside the premises by staff to ensure that the area is kept clean and free from litter.

No changes are requested to the hours and licensable activities permitted by this licence

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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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