



## **Licensing Committee**

Date: Tuesday, 27 October 2020

Time: 10.00 am

Venue: [https://manchester.public-i.tv/core/portal/webcast\\_interactive/516788](https://manchester.public-i.tv/core/portal/webcast_interactive/516788)

Everyone is welcome to attend this committee meeting.

**The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.**

Under the provisions of these regulations the location where a meeting is held can include reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.

To attend this meeting it can be watched live as a webcast. The recording of the meeting will also be available for viewing after the meeting has closed.

## **Membership of the Licensing Committee**

**Councillors** - Grimshaw (Deputy Chair), Hewitson, Andrews, Evans, Flanagan, Hassan, Hughes, Jeavons, T Judge, Lynch, Lyons, Madeleine Monaghan and Reid

## Agenda

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- 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. Minutes** 5 - 6  
To approve as a correct record the minutes of the meeting held on 20 January 2020 .
- 5. Licensing Update and Revision of Licensing Policy 2021** 7 - 12  
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 6. Update of Model Conditions under the Licensing Act 2003, including incorporation of Martyn's Law proposals (including Proposed Revised Model Conditions 2020)** 13 - 36  
The report of the Director of Planning, Building Control and Licensing is enclosed.

## Information about the Committee

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The Licensing Committee fulfils the functions of the Licensing Authority in relation to the licensing of premises for the sale or supply of alcohol, the provision of regulated entertainment, and the provision of late night refreshment (hot food or hot drink provided at any time between 11pm and 5am) and in relation to the Gambling Act.

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,  
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Manchester, M60 2LA

## Further Information

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

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This agenda was issued on **Monday, 19 October 2020** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

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## Licensing Committee

### Minutes of the meeting held on Monday, 20 January 2020

**Present:** Councillor Ludford – in the Chair

**Councillors:** Andrews, Evans, Grimshaw, Flanagan, Hassan, Hughes, Jeavons, Lynch, Lyons, Reid and Stone

**Apologies:** Councillor Hewitson, T Judge and Madeleine Monaghan

**LHP/20/1     Minutes**

#### **Decision**

To approve as a correct record the Minutes of the meeting held on 9 September 2019.

**LHP/20/2     Update of Model Conditions under the Licensing Act 2003  
incorporating Martyn's Law proposals**

The Committee considered and noted the contents of the report regarding the proposal to consult on the Council's revised suite of Model Conditions to incorporate conditions consistent with the requirements of Martyn's Law.

Ms Figen Murray, the mother of Martyn Hett, who was murdered in the terrorist attack at the Manchester Arena, made a short presentation to the Committee. Ms Murray spoke about the importance of incorporating Martyn's Law and how this needed to become a natural part of everyday life.

#### **Decisions**

1. To note the contents of the report submitted.
2. To approve the proposal to consult on the Council's revised suite of Model conditions (for premises under the Licensing Act) to incorporate conditions consistent with the requirements of Martyn's Law.

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**Manchester City Council  
Report for Information**

**Report to:** Licensing Committee – 19 October 2020

**Subject:** Licensing Update and Revision of Licensing Policy 2021

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

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**Summary**

The report provides the Licensing Committee with a topical update on licensing issues and information on the proposed revision of the Council's Statement of Licensing Policy under the Licensing Act 2003

**Recommendations**

That Members note the report.

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**Wards Affected:** All

<b>Environmental Impact Assessment</b> - the impact of the decisions proposed in this report on achieving the zero-carbon target for the city
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None
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Manchester Strategy Outcomes	Summary of the contribution to the strategy
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	
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	An effective licensing regime works with Operators and other agencies to ensure as far as it is able, matters of equality and local issues.

<p>A liveable and low carbon city: a destination of choice to live, visit and work.</p>	<p>The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications to safeguard local place based interests. Representations have to be directly related to the licensing objectives; in relation to the Licensing Act these are the prevention of crime and disorder, the prevention of public nuisance, public safety, and the protection of children from harm.</p>
<p>A connected city: world class infrastructure and connectivity to drive growth</p>	<p>Licensed premises play an important role in ensuring an economically successful City, and the Licensing Policy seeks to achieve desirable and high quality premises to help drive that growth.</p>

**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:**

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Name: Fraser Swift  
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**Background documents (available for public inspection):**



## 1.0 Introduction

- 1.1 The report provides the Licensing Committee with a topical update on matters relevant to licensed premises under the Licensing Act 2003.

## 2.0 Coronavirus

- 2.1 The Committee will be aware of the reactive and changing nature of localised the restrictions; at the time of publishing people are only able to visit a licensed premises in their household groups or support bubbles (where an adult who lives alone or with dependent children, can spend time with one other household indoors, and only allowed to operate until 10pm. Venues in Manchester were operating seated only well before this became mandatory. All indoor and outdoor hospitality including, cafes, bars, pubs, and restaurants, can open at this time with the exception of:
- Nightclubs, dance halls, and discotheques
  - Sexual entertainment venues and hostess bars
- 2.2 The Coronavirus pandemic is a public health issue. The s.182 Guidance advises that “Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation.”
- 2.3 Therefore, licensing powers are limited in respect of dealing with Coronavirus-related failings at licensed premises through the licensing process and action must be taken through Health and Safety powers. The Local Government Association has called on the government to extend licensing powers to take action where premises are not protecting the public during the pandemic.
- 2.4 All business premises are required to operate in a “COVID-secure” manner by carrying out an appropriate COVID-19 risk assessment, just as they would for other health and safety related hazards. Additional guidance (to that issued by the government) has been provided by the Licensing Unit to businesses to outline our expectations and how compliance officers will engage with them to support and guide them through their responsibilities, but also take action where necessary where there is non-compliance. Our approach has been to outline expectations with agreed action plans or warnings in the first instance. However, more immediate and escalated action has been required where the public health risk presented is either too high (i.e. the premises has lost control of its clientele and mass non-compliance is occurring) or advice and warnings have not been adhered to.
- 2.5 The Out of Hours compliance team have therefore worked closely with colleagues in Environmental Health to respond to complaints, proactively monitor premises, share evidence and utilise Health and Safety powers where necessary to ensure our licensed premises are operating according to requirements and in line with the guidance we have set out.

- 2.6 The key challenges since the reopening of the hospitality industry have centred around ensuring social distancing within venues, and ensuring recording and maintenance of customer and visitor details to support the NHS 'Test and Trace' system;  
<https://www.gov.uk/guidance/maintaining-records-of-staff-customers-and-visitors-to-support-nhs-test-and-trace>
- 2.7 Compliance teams report there have been thousands of visits to licensed premises since re-opening on 4 July and of the 2200+ premises that we licence, formal enforcement action has only had to be taken against 16 premises, evidencing a widespread degree of compliance within the sector.
- 3.0 **Business and Planning Act 2020**
- 3.1 On 22 July 2020, the Government introduced new legislation to support the economic recovery of businesses selling food and drink as lockdown restrictions were lifted with social distancing guidelines remaining in place.
- 3.2 The legislation introduced two main changes relevant to licensed premises:
  - i. Pavement Licences
  - ii. Deregulation of off-sales of alcohol

### **Pavement Licences**

- 3.3 Designed to support businesses selling food and drink, such as cafes, pubs and restaurants, a temporary fast-track process was introduced for these businesses to obtain permission (Pavement Licence) from the local council for the placement of furniture such as tables and chairs on the highway outside their premises. This will enable them to maximise their capacity whilst adhering to social distancing guidelines. The current process for businesses to obtain these licences can be costly and time-consuming.
- 3.4 This Act includes temporary measures to place a cap on the application fee for businesses, enforcement and revocation powers so councils can protect public safety and amenity, and a new 14-day determination period (7 day public consultation and 7 days to determine thereafter), ensuring that businesses can obtain licences in a timely and cost effective manner aiding their financial recovery.
- 3.5 The Licensing Unit led on extensive engagement with premises and coordination of partners to support businesses seeking to utilise this legislation to aid their recovery. This was supported by teams in highways, GMP, neighbourhoods and compliance, city centre regeneration team and Cityco. To date we have received over 140 pavement licence applications, and have been able to grant over 120 (27 of which are not in city centre wards). We are currently working through how we can support businesses risk assessing the provision of heaters to facilitate the continued use of pavement licences throughout the winter months (subject to other restrictions). Guidance has been provided to licensed premises and can be found at:

[https://www.manchester.gov.uk/downloads/download/7266/pavement\\_licence\\_guidance](https://www.manchester.gov.uk/downloads/download/7266/pavement_licence_guidance)

### **Deregulation of off-sales of alcohol**

- 3.6 The Act modifies provisions in the Licensing Act 2003 to provide automatic extensions to premises licences that only permit sales of alcohol for consumption on the premises (“on-sales”) to allow sales of alcohol for consumption off the premises (“off sales”). It will be a temporary measure to boost the economy, with provisions lasting until the end of September 2021.
- 3.7 These measures will make it possible for licensed premises that have only an on-sales licence to sell alcohol for consumption off the premises. This will allow businesses to trade whilst keeping social distancing measures in place inside.
- 3.8 The provisions remove the need for any application to be made, therefore no fee will need to be paid. This will deliver savings to businesses, as well as providing them with certainty about how they are able to trade. It will also reduce the burden on local authorities and the police, who will not need to scrutinize any applications for licence variations from the premises affected by these measures. Licensees who have had an application for an off-sales permission refused or had their off-sales permission excluded by variation or at review within the last three years, will be excluded from this licence extension. This is a safeguard to ensure that where it has recently been decided that the licensee should not have the permission, they do not receive it through this legislation.
- 3.9 The hours in which off-sales of alcohol may be made under the new permission are when the licensed premises are open for on-sales, subject to two limitations. Firstly, every off-sale must be made at a pre-cut off time. The pre-cut off time is any time between when the premises first open for the purposes of selling alcohol for consumption on the premises and 11pm. If on-sales terminate earlier than 11pm, that earlier time will also apply to off-sales. Secondly, there is also an exception where there is an outdoor area and the times in which the sale of alcohol is permitted differ from the times in which sales for consumption on the premises are permitted. In these circumstances, the new off-sales permission does not apply at the times when the premises licence does not allow sales of alcohol for consumption in the outdoor areas of the premises.
- 3.10 The provisions will also apply temporary conditions to licences where there is pre-existing permission for off-sales. The conditions will set the hours of off-sales in the same manner as described above to match those for on-sales, allow off-sales of alcohol in open containers and allow deliveries of alcohol to residential or work buildings. Those conditions will suspend existing conditions that are more restrictive. So, for example, an existing condition that allowed off-sales only in closed containers would be suspended to allow sales in open containers.

3.11 If there were problems of crime and disorder, public nuisance, public safety or the protection of children arising from how the premises operated using the new permission, any responsible authority, including the police or environmental health, could apply for a new off-sales review. The off-sales review process is modelled on the existing summary review process. In the event that an off-sales review is triggered, it will only relate to off-sales authorised by virtue of these provisions, or conditions which have effect by virtue of these provisions: it cannot be used to revoke the existing licence or modify pre-existing licence conditions.

#### 4.0 **Review of the Council's Statement of Licensing Policy**

4.1 Like most councils, we are currently in the process of reviewing our Licensing Policy as the end of the statutory 5 year period as specified in Section 5 of the Licensing Act 2003 comes to an end in early January 2021.

4.2 However, the Covid-19 pandemic has significantly changed the licensing landscape, with many businesses unable to operate as before and a drastic reduction in customer numbers and footfall.

4.3 With this in mind, it is proposed to postpone a full review of the policy until later next year when we should have a better understanding of what the impact will have been on the longer-term operation of licensed businesses and our night time economies.

4.4 A review of the Council's Our Manchester Strategy is also currently being undertaken in light of the Coronavirus pandemic, with a revised strategy set to be published next May. It is anticipated that the revision of the Licensing Policy should be undertaken to complement that strategic vision.

4.5 We formally requested the Government to introduce legislative changes that would enable an extension of the requirement to review the policy by January 2021. However, we were notified by the Home Office on 1 October that would not be possible without primary legislation and there was no opportunity to make that provision any time soon. Therefore it is proposed to renew our current Policy for an 18 month period to enable a fuller review in due course.

#### 5.0 **Key Policies and Considerations**

5.1 The above matters are relevant to the Council's Statement of Licensing Policy under the Licensing Act 2003

#### 6.0 **Conclusion and decisions**

6.1 The Committee is asked to approve the renewal of the Licensing Policy for an 18 month period to be reviewed in full next year.

6.2 The Committee is asked to note the report.

**Manchester City Council  
Report for Information**

**Report to:** Licensing Committee – 19 October 2020

**Subject:** Update of Model Conditions under the Licensing Act 2003 including incorporation of Martyn’s Law proposals

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

**Summary**

The report provides the Licensing Committee with the results of the public consultation and proposes the final model conditions.

**Recommendations**

That Members approve the model conditions.

**Wards Affected:** All

<b>Environmental Impact Assessment</b> - the impact of the decisions proposed in this report on achieving the zero-carbon target for the city
None

<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	
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	An effective licensing regime works with Operators and other agencies to ensure as far as it is able, matters of equality and local issues.

<p>A liveable and low carbon city: a destination of choice to live, visit and work.</p>	<p>The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications to safeguard local place based interests. Representations have to be directly related to the licensing objectives; in relation to the Licensing Act these are the prevention of crime and disorder, the prevention of public nuisance, public safety, and the protection of children from harm.</p>
<p>A connected city: world class infrastructure and connectivity to drive growth</p>	<p>Licensed premises play an important role in ensuring an economically successful City, and the Licensing Policy seeks to achieve desirable and high quality premises to help drive that growth.</p>

**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:**

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

Report to Licensing Committee - 20 January 2020 "Update of Model Conditions under the Licensing Act 2003 including incorporation of Martyn's Law proposals"

## 1.0 Introduction

- 1.1 The report provides the Licensing Committee with the results of the public consultation on the revised model licence conditions for premises under the Licensing Act 2003, which incorporated the proposed new conditions in line with adopting the principles of Martyn's Law in Manchester.
- 1.2 The consultation was published on the Council's website for 6 weeks from 4 March to 17 April, but was extended for a further 4 weeks until 17 May in light of the Coronavirus lockdown.
- 1.3 Fourteen responses were received in the consultation period and a further written response received after the deadline. Clearly, there has been no prejudice in this being received late, given the passage of time and so has been included in the results.
- 1.4 Responses were received from the following -
- 6 x industry operator
  - 1 x member of public
  - 1 x private security
  - 1 x licensing solicitor
  - 5 x unknown

## 2.0 Response to Martyn's Law Conditions

- 2.1 All responses bar one, supported the introduction of the Martyn's Law principles, with some caveats:
- Requirements should be targeted to defined premise as some licensed premises might not be as relevant e.g. office spaces;
  - Too onerous for all staff to complete training and to the timescales proposed;
  - Higher levels of training should be mandatory for the designated premises supervisor but optional for other duty managers based on risk assessment;
  - Security personnel should complete ACT Awareness and supervisors/managers complete higher level training.
- 2.2 Only one response (Response 4, Industry Operator) was completely against the ML proposals
- 2.3 The responses are considered below:

### **Response 4 (Industry Operator)**

*"Should be moitored (sic) by public sector, NOT pushed on to the private sector to police".*

### **Response 5 (Security Officer)**

*"All security personal (sic) must complete ACT Awareness Training.*

*All security supervisors / Managers must complete ACT Strategic and Operation Training.”*

**Response 6 (Industry Operator)**

*“I entirely agree with training members of our team on Act Awareness and the benefits of this excellent package. We already do this for our London Duty Managers via the eLearning scorm package. I do have concerns on the requirement for all staff to be trained before they can work in our premises. This will place significant strain on premises who may have a high turnover of staff/seasonal workers. New staff also have to go through a great deal of induction training already to meet other various legislation and I fear the training may therefore lose some of its value. Regarding the requirements for DPS and Duty Managers to complete the additional operational or strategic levels of training, this will be dependent on the availability of these face to face courses. I think the 28 day requirement is also onerous. This could also prove difficult for a new DPS/Duty Manager to complete in this timescale.*

*I believe the ACT awareness training should be mandatory for Duty Manager level but optional for general team members. The enhanced levels of training for Duty Managers should also be optional based on risk assessment and management level, but agree mandatory for the DPS; however the 28 day deadline should be extended.”*

**Response 12 (Licensing Solicitor)**

*As drafted, (Condition 1) applies to every licensed premises, regardless of size or location, or type of activities permitted.*

*It would cover small corner shops, supermarkets, late night takeaways, pubs, bars, restaurants, nightclubs, cinemas, theatres large scale music venues and football clubs. Other, less obvious licensed premises include office blocks, co-working spaces and public squares either in private ownership such as Spinningfields, or Council owned such as Albert Square and others.*

*Some smaller venues might find it relatively easy to ensure that all staff had undertaken the necessary training but others would find it simply impossible. For example, a manager employed by a national pub chain drafted in at short notice and for a short period of time would not be able to comply with this condition nor would those who relied on agency staff. Equally, every member of staff employed at the Etihad for example, could not be expected to undertake the training.*

*We would suggest that the condition be amended so that it only applies to a defined list of premises, and perhaps whilst the training might be mandatory for the manager (and/or DPS if the licence allows for the sale of alcohol) that thereafter, a % be given for the number of staff to be trained.*

*We agree that (condition 2) is proportionate. However, compliance relies on the availability of the training. We would ask if assurances have been given by the training provider that sufficient training courses will be run, in appropriate locations, to ensure that individual Designated Premises Supervisors did not fall*



*foul of the condition through unavailability of courses within the requisite timeframe.*

### **MCC Response -**

- 2.4 The suggestion in Response 4 that it is not a matter for the private sector is rejected as this is completely contrary to the principles of Martyn’s Law, which requires that spaces and places to which the public have access engage with freely available counter-terrorism advice and training.
- 2.5 The Government was due to publicly consult in the Spring on new legislation, in line with Martyn’s Law, which would require venue operators to consider the risk of a terrorist attack and take proportionate and reasonable measures to prepare for and protect the public from such an attack. However, consultation has been delayed by the Coronavirus pandemic.
- 2.6 The key issue raised in responses 6 and 12 concerns the proportionality of the training requirements, particularly:
- i. whether it should only apply to specific types of venues
  - ii. the timescales for training to be completed
  - iii. the feasibility and appropriateness of training all staff
- 2.7 The Government’s brief on the scheduled consultation was that it would “ask for views from business and the public sector on the proportionality, scope of the duty, and how it should be enforced.”
- 2.8 Security Minister James Brokenshire said:  
 “Our first priority is keeping the public safe and preventing more families from suffering the heartbreak of losing a loved one.
- The devastating attacks in 2017, and more recently at Fishmongers’ Hall and Streatham, are stark reminders of the current threat we face. We are in complete agreement with campaigners such as Figen Murray on the importance of venues and public spaces having effective and proportionate protective security and preparedness measures to keep people safe.
- Of course, it is important that this new law is proportionate. This public consultation will ensure we put in place a law that will help protect the public while not putting undue pressure on businesses.”
- 2.9 Having regard to the comments in Response 4 (Security officer) It is proposed to amend the condition to clarify that all door supervisors on duty at the premises complete the ACT Awareness Training and that it is not limited to the employees of the licensed premises The proposal that security supervisors and managers complete a higher level of training, similar to the proposal for designated premises supervisors and duty managers at the licensed premises, is logical and so it is also proposed to include this amendment.

*1. At all times that the premises are open to the public for licensable activities, all staff on-duty, including all door supervisors, at the premises and all on-duty managers must have completed ACT: Awareness training. In addition, a minimum of 1 on-duty manager and any security supervisor/manager must also have completed the ACT: Operational or ACT: Strategic training.*

- 2.10 Whether the conditions should only apply to certain categories of premises can be complicated as venues may not simply fit into a defined category, or may transition between different styles of operations. The Martyn's Law principle are that "spaces and places to which the public have access":
- (a) engage with freely available counter-terrorism advice and training
  - (b) conduct vulnerability assessments of their operating places and spaces
  - (c) mitigate the risks created by the vulnerabilities
- 2.11 Therefore, it is not proposed to limit the types of venues that are expected to comply as the intention is that all public places and spaces are engaged. Although they may be licensed, premises such as office buildings that are not open to the public would not be captured by the condition and so would already be excluded.
- 2.12 Due to the Coronavirus pandemic, the capacity to conduct courses that require attendance in-person are naturally restricted and it is recognised that completing the ACT: Operational and Strategic courses within 28 days are not currently achievable.
- 2.13 In respect of which staff, and what proportion of them, must be trained, the responses in respect of the difficulty of ensuring this are noted.

### 3.0 Other Conditions - Individual Responses

- 3.1 The responses to other proposed model conditions are set out below:

#### Response 5 (Security Officer)

***"All front line security personal (sic) working in public domain must wear body worn camera's (sic)."***

- 3.2 It is proposed to amend Condition 24, which concerns the use of body cams by security personnel, to include an option to specify "all" personnel to wear them, rather than a specified number.

***"All security personal (sic) must have emergency first aid at work training. There should also be required to have at large venues a member(s) of staff that have FREC level 3 / level 4 with available equipment."***

- 3.3 FREC is the 'First Response Emergency Care' qualification. It is designed for those seeking a career in the emergency services, ambulance services, the event medical sector, but also those who work in high risk workplaces. It equips a person with the skills to deal with a wide range of prehospital care

emergencies, such as: managing a patient's airway; catastrophic bleeding; management of fractures; medical emergencies.

- 3.4 The Level 3 Certificate in First Response Emergency Care is one of the few first aid qualifications recognised by the Security Industry Authority (SIA) and typically involves attending a course over 5 days at a cost of approximately £500+. There is also an additional recommended 118 hrs of post course learning.
- 3.5 Upskilling door supervisors and increasing their capability to deal with vulnerability is an important aim. Therefore, it is proposed to include conditions as recommended in the response, although it is recognised that any imposition of a requirement for the Level 3 FREC qualification would generally only be appropriate for larger and/or higher risk venues.
- 3.6 The proposed additional conditions are:

*A member(s) of staff qualified to a minimum Level 3 Certificate in First Response Emergency Care must be on duty, with appropriate medical equipment, at the premises when licensable activities are carried out [or at specified days/times]*

*All door supervisors must have emergency first aid at work training.*

#### **Response 6 (Industry Operator)**

***"#25 on bodycams - review requirement for continuous recording loop as this goes against guidance from college of policing and ICO."***

- 3.7 *Response: Agreed - the condition has been modified to specify recordings should be incident-specific, and to address issues of failing to capture footage as well as specifying no images must be deleted before the expiry of the 28 day retention period.*

***"#34.(b) - training records should be permitted in electronic format, with records of completed tests etc., without the need for paper and signatures."***

- 3.8 *Agreed - reference to signature removed to facilitate electronic training.*

***#47 - where an electronic refusal system on the till issued, this does not allow for inputting description of the customer. This is also time consuming and not practical in a busy pub/bar. I also do not feel it adds value to the objective or achieves anything - the correct recording of the refusal is the key part.***

*Response: Accepted - reference to description of the customer removed. Recording refusals is an important exercise in demonstrating due diligence but whilst there may be some value in recording customer descriptions to identifying repeat instances,*

#### **Response 9 (Business Network):**

***(Condition 34) "Further information on what staff working in the NTE can do to alert authorities to street vulnerable people, trafficked people and victims of***

**modern slavery. Include some training from Manchester Homelessness Partnership and other specialists.”**

3.9 It is not proposed to include a model condition addressing this issue. The Manchester Homelessness Partnership (MHP) is a network of organisations which formed to work together towards the aims and values of the Manchester Homelessness Charter, and with the goal to end homelessness in all its forms in Manchester. Whilst we would encourage licensed premises to support such initiatives, this would not be relevant to the promotion of the licensing objectives. Modern slavery and trafficked people would be relevant to the crime prevention objective, and it is proposed to include a condition around understanding the signs of modern slavery and how to report it.

**Response 12 (Licensing Solicitor):**

**Condition 7 (ID scanning condition) - *In view of the advances in technology we would suggest the inclusion of any electronic or biometric verification technology approved by the Licensing Authority (in a manner similar to Condition 44).***

3.10 Response - agreed. Condition to be amended as follows:  
An ID scanning system, or electronic or biometric verification technology approved in writing by the licensing authority must be operated at the premises at all times it is open to the public. All persons entering the premises must provide verifiable ID and record their details on the system.

**Condition 8 (searches) - *We would suggest that this condition be amended to also allow for random searches to be permitted, or a separate condition included to guide operators who may consider that their premises may benefit from a discretionary search policy rather than a blanket one.***

3.11 Response: Replace condition as follows

8. Persons entering or re-entering the premises must be searched [at random] [on a discretionary basis] [in every case] by an SIA registered door supervisor [and all searches must be monitored by the premises CCTV system].

**Condition 28 (CCTV) - *We would suggest that “there are members of trained staff” be replaced by “at least one member of trained staff be”. This will ensure the objective of the condition is upheld, but does not require there to be more than one on site at anyone time who is capable of providing the copies.***

3.12 Response - Accepted

**Condition 33 (incident reporting) - *Viii duplicates vi.***

3.13 Response - duplicate deleted

**Condition 42 (bottle cages)- *This type of condition is more commonly associated with premises with a history of incidents of crime and disorder. If a condition were to be offered by an operator in their Operating Schedule for a new licence, we wonder whether this would be the sort of premises the City would be encouraging. However, we accept that the Pool of Model conditions is not just a tool for an applicant but can be used by any Responsible Authority***

***or interested party who may consider this condition as part of Review proceedings.***

3.14 Response - comments noted.

***Condition 51 (Restaurants and takeaways (alcohol) - We would suggest that conditions such as that above, which restrict a premises so that it must operate solely as a restaurant are outdated. More commonly seen in certain London boroughs (notably Westminster) we believe that they stifle innovation and increasingly lack relevance in the ever changing hospitality sector. Very few premises now fit neatly into a single definition of 'bar', 'pub' or 'restaurant' with far more operating as a hybrid of one or more of those styles.***

3.15 Response - this is accepted. As referenced earlier in the report, many venues operate a hybrid model and it is submitted that it is not whether the proposed business fits into a category of operation that will be important but whether its proposed operation will cause any harm to the licensing objectives. Therefore, it is proposed to remove this condition.

#### **4.0 Key Policies and Considerations**

4.1 The proposals will integrate with the Council's Statement of Licensing Policy 2016-21 under the Licensing Act 2003.

#### **5.0 Conclusion**

5.1 A schedule of the proposed final conditions is attached at Appendix 1.

5.2 The Committee is asked to consider the contents of the report and responses received to the consultation, and approve the proposed set of Model Conditions.

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# Proposed Licensing Act 2003 Model Conditions

## Martyn's Law

1. At all times that the premises are open to the public for licensable activities, all staff on-duty at the premises, **including all door supervisors**, and all on-duty managers must have completed ACT:Awareness training. In addition, a minimum of 1 on-duty manager **and any security supervisor/manager** must also have completed the ACT:Operational or ACT:Strategic training.
2. The Designated Premises Supervisor must complete the ACT:Awareness training and ACT:Operational or ACT:Strategic training course within 28 days of the grant or variation of the licence. Should the Designated Premises Supervisor named on the licence change, the new Designated Premises Supervisor must complete those courses within 28 days of being named on the licence.
3. Within 28 days of the grant or variation of the licence, a documented security vulnerability assessment, which must incorporate counter terrorism measures, must be undertaken for the premises to include all areas in which licensable activities takes place and which the public will have access and/or transit through. The assessment shall be routinely reviewed and must be reviewed following the elevation of the change of the national threat level. All reviews shall be documented.
4. Within 28 days of the grant or variation of the licence, the premises licence holder shall evaluate any risks identified through the security vulnerability assessment and take promptly such steps to eliminate them or to reduce the risk as far as is reasonably practicable. A documented record must be maintained of any remedial action implemented and made available upon request to any police officer or an authorised officer of Manchester City Council.
5. Within 28 days of the grant or variation of the licence, the premises must have a documented counter-terrorism plan, which sets out counter measures to be implemented in response to a terrorist attack, through the principles of 'Guide', 'Shelter' and 'Communicate'-
  - **Guide** – Direct people towards the most appropriate location (invacuation, evacuation, hide)
  - **Shelter** – Understand how your place or space might be able to lock-down and shelter people within it for several hours
  - **Communicate** – Have a means of communicating effectively and promptly with users of your place and have staff capable of giving clear instructions. Also have the capability of integrating with any response or rescue operation by providing things like building plans.

### **Admission and control of entry**

6. The designated queuing area shall be enclosed within appropriate barriers and ensure that a minimum width of 1.8m [or specify if greater] is maintained on the footway to allow safe passage by pedestrians.
7. An ID scanning system **or electronic or biometric verification technology** approved in writing by the licensing authority must be operated at the premises at all times it is open to the public. All persons entering the premises must provide verifiable ID and record their details on the system.
8. All persons entering or re-entering the premises must be searched by an SIA registered door supervisor [and all searches must be monitored by the premises CCTV system].
9. No patron shall be admitted or readmitted to the premises [after XX:XX hours] unless they have [passed through a metal detecting search arch] [been searched using hand-held electronic search wands] and, if the search equipment is activated, have been physically searched in accordance with a procedure agreed with Greater Manchester Police, which must include a 'pat down search' and a full bag search. Search equipment must be kept in working order.
10. No customer will be permitted to enter or re-enter the premises between the hours of [specify] save for persons who have temporarily left the premises (e.g. to smoke).
11. Between [specified times] no customer will be permitted to enter or leave the premises by means of [specified entrances].
12. No more than [insert number] customers will be permitted on the premises at any one time.
13. The premises licence holder shall ensure a suitable method of calculating the number of people present during licensable activities is in place.

### **Door supervisors**

14. Door supervision must be provided on (specify days / circumstance). Door supervisors must be on duty from [specify hours] and must remain on duty until the premises are closed and all the customers have left.
15. On [specify days/hours], at least [insert number] of SIA registered door supervisors must be on duty at the premises [specify location at the premises] [or as shown on the plan].
16. Door supervisors shall be employed at the ratio of [XX] door supervisor for every 100 customers (or part thereof).
17. Door supervisors shall be employed by the premises based upon a risk assessment carried out in relation to the following factors:



- (i) Size of the venue
- (ii) Expected attendance
- (iii) Type of event taking place
- (iv) Location of the premises
- (v) Time of year
- (vi) Special occasion (New Year, Halloween, Local events etc.)
- (vii) Premises Licence Conditions

18. At least [XX] female door supervisor(s) shall be on duty at the premises at such times as door supervisors are required to be provided.
19. All door supervisors, and other persons engaged at the premises for the purpose of supervising or controlling queues or customers, must wear [high visibility jackets or vests or armbands].
20. Any door supervisors on duty at the premises must be supplied by an SIA-Approved Contractor Scheme company.
21. The Designated Premises Supervisor or on-duty manager must ensure that all door supervisors on duty at the premises are correctly displaying their current SIA accreditation and are briefed on their responsibilities and relevant company operating procedures before they commence duty.
22. Door supervisors must be provided with radios to enable them to contact each other and the duty manager at the premises.
23. Where SIA registered door supervisors are used at the premises, a record must be kept of their SIA registration number and the dates and times when they are on duty.

### **Body-worn video**

24. On [specify days/hours], [all]/at least [insert number] of SIA registered door supervisors on duty at [specify location at the premises] [or as shown on the plan] must wear working **body-worn video devices** (body cams).

**Use of body cams will be incident specific. Officers will use common sense and sound judgment when using body-worn video, in support of the principles of best evidence.**

25. All body cams must:
- (i) be activated by the wearer to record any incident of crime and disorder they witness. **Where the user fails to record an incident, this should be logged.**
  - ~~(ii) provide a continuous recording loop designed to ensure that relevant information is still captured if the User is unable to immediately activate the recording;~~
  - (iii) produce an acceptable video recording under street lighting and inside buildings, including low-light conditions

- (iv) be overt, be pointed correctly to ensure best evidence is captured, and worn so that it will not be obscured by clothing;
  - (v) be capable of clearly recording a conversation between the User and people in close proximity; and be optimised to record speech rather than background noise;
  - (vi) record synchronised video and audio;
  - (vii) employ a wide-angle lens that records a broad scene in full focus;
  - (viii) be securely attached to avoid accidental loss and malicious removal
  - (ix) be equipped with sufficient storage and battery capacity to cover the requirements of a working shift.
  - (x) record in a format viewable in its original format using free software including VLC media player
  - (xi) when transferred off the device, recordings should be preserved in their original format and any metadata retained
  - (xii) must always show the correct time and date in video footage, for evidential continuity
  - (xiii) be capable of still capturing video if the microphone malfunctions, and audio is still captured if the camera malfunctions.
  - (xiv) not overwrite data once recording capacity is reached.
26. A record must be kept of the SIA registration number of the door supervisor and the ID of bodycam worn by them.
27. Bodycam images must be stored so that they are retrievable and accessible for replay and viewing, and kept in an environment that will not be detrimental to the quality or capacity for future viewing. They should be appropriately labelled to enable identification and retrieval and kept for a minimum of 28 days. **No recording must be deleted within this period from when it is recorded.**
28. The premises licence holder must ensure at least one member of trained staff ~~be there are members of trained staff~~ at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).

## **CCTV**

29. The premises licence holder must ensure that:
- (i) CCTV cameras are located within the premises to cover all public areas including all entrances and exits [The location of cameras could also be specified on the plan attached to the premises licence].
  - (ii) The system records clear images permitting the identification of individuals.
  - (iii) The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
  - (iv) The CCTV system operates at all times while the premises are open for licensable activities [or specify timings].

- (v) All equipment must have a constant and accurate time and date generation.
- (vi) The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected.
- (vii) There are members of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).

### **Preventing illegal drug use**

30. There shall be a lockable 'drugs box' at the premises to which no member of staff, except the DPS and/or [designated role-holder at business], shall have access. All controlled drugs (or items suspected to be, or containing controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all its contents must be given to Greater Manchester Police for appropriate disposal.

### **Promotional activity**

31. The premises licence holder must submit to [insert contact details for Responsible Authority] a completed risk assessment form as prescribed at least 28 days before any event that is
- (i) carried on by any person not affiliated with the venue; and
  - (ii) promoted / advertised to the public.
32. No promotional social media communication may be carried on for the purpose of encouraging the sale or supply of alcohol at the premises, which can reasonably be considered to condone, encourage or glamorise antisocial behaviour or to refer to the effects of drunkenness in any favourable manner.

### **Incident reporting**

33. 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 (delete as appropriate):
- (i) All alleged crimes reported to the venue or by the venue to the police
  - (ii) All ejections of patrons
  - (iii) Any complaints received
  - (iv) Any incidents of disorder
  - (v) Seizures of drugs, offensive weapons, fraudulent ID or other items
  - (vi) Any faults in the CCTV system, searching equipment or scanning equipment
  - (vii) Any refusal of the sale of alcohol
  - ~~(viii) Any faults in the CCTV system, searching equipment or scanning equipment~~
  - (ix) Any visit by a responsible authority or emergency service

- (x) The times on duty, names and the licence numbers of all licensed door supervisors employed by the premises.

### **Staff training (alcohol & vulnerability welfare)**

34a) All staff authorised to sell alcohol shall be trained in (delete as appropriate):

- (i) Relevant age restrictions in respect of products
- (ii) Prevent underage sales
- (iii) Prevent proxy sales
- (iv) Maintain the refusals log
- (v) Enter sales correctly on the tills so the prompts show as appropriate
- (vi) Recognising signs of drunkenness and vulnerability
- (vii) How overservice of alcohol impacts on the four objectives of the Licensing Act 2003
- (viii) How to refuse service
- (ix) The premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment; **and how to report issues of modern slavery and trafficking**
- (x) Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services
- (xi) The conditions in force under this licence.

34b) Training must include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed ~~and signed~~ by the trainee.

34c) Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 [or specify] monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.

### **Preventing and dealing with drunkenness and vulnerability**

35. The premises shall have a documented Duty of Care policy for managing intoxicated and vulnerable customers and dealing with incidents of harassment at the premises. The policy shall also include provision for persons refused entry to the premises who are also considered vulnerable by staff.

36. The premises shall display prominent signage indicating [at any point of sale] [at the entrance to the premises] [in all areas where alcohol is located] that it is an offence to sell alcohol to anyone who is drunk.

37. A Personal licence Holder must be present at the premises to supervise all sales of alcohol.

38. A minimum of [specify] persons must be employed and on duty at the premises between [specify days/hours] who are specifically tasked to maintain the safety of customers who may be vulnerable, ill or in distress as a result of alcohol and/or drug-related intoxication. Such persons must be trained on drunkenness, vulnerability, and drugs awareness in the night-time economy; and responding to these matters.
39. The premises shall provide facilities for customers to securely recharge their mobile phones.

### **Glassware and use of ice fountains / bottle sparklers**

40. Drinks must only be served in polycarbonate/plastic containers [on specified days or events] [upon reasonable notice by Greater Manchester Police].
41. Customers will not be permitted to remove from the premises any drinks supplied by the premises (alcoholic or otherwise) in open containers [except for consumption in any delineated external area as shown on the plan attached to the licence].
42. Spirit, Champagne and all other glass bottles greater than [70cl] are restricted to customers seated at a [table] [booth] in the delineated area[s] as shown on the plan attached to the licence. These bottles must be secured to the table or ice bucket and must only be dispensed by a member of staff who is trained in the responsible service of alcohol. Customers must not be permitted to leave their table carrying any such bottle, or be permitted to drink directly from the bottle.
43. Ice fountains or similar products (which are classed as HT4 explosives):
- a) Must be kept in their original packaging and only stored in a secure store room or fire-resistant cabinet that the public have no access to. The room/cabinet must be kept locked, except for the depositing or removal of products but must be locked immediately thereafter.
  - b) Their use must be risk assessed in advance and appropriate control measure put in place to reduce the risk to staff and customers, which must include (but is not limited to):
    - (i) staff training in their safe use and dispersal
    - (ii) the provision of appropriate first aid training and equipment
    - (iii) suitability of areas of the premises where the products will be used
  - c) The risk assessment and control measures identified must be documented, kept on the premises and made available for inspection to a police, fire or authorised officer upon request.

**Preventing underage sales**

44. The Challenge [21] [25] scheme must be operated to ensure that any person who appears to be under the age of [21] [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, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.
45. The premises shall display prominent signage indicating [at any point of sale] [at the entrance to the premises] [in all areas where alcohol is located] that the Challenge [21] [25] scheme is in operation.
46. The premises shall display prominent signage indicating [at any point of sale] [at the entrance to the premises] [in all areas where alcohol is located] 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.
47. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within [specify days / hours or a reasonable time] of a request by an officer of a Responsible Authority.

**Alcohol deliveries**

48. The premises licence holder shall provide the following information in writing to the licensing authority before any sale of alcohol is carried out (and notify change to this information to the licensing authority within 7 days):
- (i) The trading name of any company that will operate under the licence
  - (ii) All telephone numbers that will be used to accept orders
  - (iii) The URL/website address that will be used to accept orders.
49. Any promotional material and/or any website home page used as part of the business operating under this licence will clearly state the premises licence number. For the avoidance of doubt, this includes flyers, leaflets and business cards promoting the business.
50. All deliveries of alcohol shall only be delivered to a premises address with a valid postcode and will only be delivered directly to that property.

**Restaurants and takeaways (alcohol)**

- ~~51. The premises must only operate as a restaurant:~~
- ~~(i) in which customers are seated at a table,~~

- ~~(ii) which provides food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non-disposable crockery,~~
- ~~(iii) which do not provide any take away service of food or drink for immediate consumption, and~~
- ~~(iv) where alcohol must not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.~~

52. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to, a takeaway meal.

### **Restricting alcohol sales in relation to designated special events, eg. football matches**

53. Prior to any [designated special event by Greater Manchester Police] ['designated sporting event' (as defined in the Sporting Events Control of Alcohol Act 1985)] the premises licence holder shall ensure that:

- (i) Alcohol sales in respect of cans of beer or cider are limited to no more than four cans per person for a minimum of four hours before the commencement of the relevant designated [special] [sporting] event
- (ii) No sales of alcohol in bottles or glass containers are made in the period four hours before the commencement of the designated [special] [sporting] event
- (iii) Alcohol sales cease for a period of one hour immediately before the commencement of the relevant designated [special] [sporting] event
- (iv) On any day where there is a relevant designated [special] [sporting] event taking place, the premises will not externally advertise as a result of a local store promotion the availability of beer or cider in such a way as to be likely to be the sole inducement to attract persons to the premises who are either attending the designated [special] [sporting] event or in the vicinity of the premises as a result of the designated [special] [sporting] event
- (v) All members of staff working at the premises are informed of this condition prior to taking up employment
- (vi) On the day of the relevant designated [special] [sporting] event, upon the direction of a police officer, using the grounds of the prevention of crime and disorder or public safety, the premises will immediately cease to sell alcohol until further directed.

### **Use of special effects**

54. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used if 10 days' prior notice is given to the licensing authority where consent has not previously been given:

- (i) Dry ice and cryogenic fog
- (ii) Smoke machines and fog generators
- (iii) Pyrotechnics, including fireworks

- (iv) Firearms (eg. Blank firing pistols)
- (v) Lasers
- (vi) Explosives and highly flammable substances
- (vii) Real flame
- (viii) Strobe lighting.

### **Emergencies**

55. The premises licence holder shall ensure that at 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, and that adequate records are maintained in relation to the supply of any first aid treatment.
56. All external emergency exit doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened.
57. All staff on duty at the premises shall be trained in the Emergency and Evacuation procedures for the premises and aware of their individual responsibilities. This includes any door supervisors. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than [specify] monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.
58. The premises shall have a minimum 20m rescue throwline available on the premises for emergency use. All on-duty staff (including security) shall be knowledgeable of its location and the manufacturer's instructions for use.
- 59. A member(s) of staff qualified to a minimum Level 3 Certificate in First Response Emergency Care must be on duty, with appropriate medical equipment, at the premises when licensable activities are carried out [or at specified days/times]**
- 60. All door supervisors must have emergency first aid at work training.**

### **Preventing noise and other public nuisances**

61. All external windows and doors must be kept shut at all times when regulated entertainment is being provided. Doors may be opened for normal entrance and egress of people but must be shut immediately thereafter.
62. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
63. A noise limiting device must be installed and must operate at all times regulated entertainment takes place at the premises. The device must be of a type, in a location and set at a level [specify if known] [approved in writing by the appropriate officer of the Council].
64. The location and orientation of loudspeakers must be as specified on the attached premises plan.



65. An [acoustic lobby / acoustic door / acoustic curtains/ acoustic door seals / automatic door closer] must be installed [specify the location / define on plan].
66. There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.

### **Deliveries (nuisance)**

67. A direct telephone number for the duty manager must be prominently displayed where it can conveniently be read from the exterior of the premises by the public. The telephone must be manned at all times the premises is open for licensable activities.
68. No deliveries or collections relating to licensable activities at the premises will take place between the hours of [insert hours].
69. Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address. This includes the avoidance of slamming doors, playing loud music, shouting, over-revving engines and sounding horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the delivery address and will park considerately without causing any obstruction to the highway.
70. Customers must be instructed when placing the order that they will not be able to collect the order from the vehicle. All deliveries will only be made directly to the property address and customers will not be permitted to take orders from the vehicle.

### **Smoking and other external areas**

71. Customers permitted to temporarily leave and then re-enter the premises to smoke must be restricted to a designated smoking area defined as [specify location / mark on plan]. No more than [insert number] of customers will be permitted to remain in the designated smoking area at any one time.
72. Clear and legible notices must be prominently displayed at any area used for smoking requesting customers to respect the needs of local residents and use the area quietly.
73. No more than [*insert number*] customers will be permitted to enter or remain in [define outdoor area(s)] of the premises at any one time, between the hours of [specify].

### **Litter and cleansing**

74. At [specify times] [specify areas] outside the premises, including [specify areas] must be swept and/or washed, and litter and sweepings collected and stored [specify storage and collection].
75. All takeaway packaging and wrappers shall clearly identify the premises, ie. by way of company logo or name.

76. Where the premises provide late night refreshments for consumption off the premises sufficient waste bins must be provided at or near the exits, to enable the disposal of waste.
77. Empty bottles which have been collected must be placed into locked bins when deposited outside.
78. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
79. Between the hours of [insert hours] no waste/glass bottles will be moved or deposited outside.

### **Children on the premises**

80. No person under the age of [insert age] years of age is permitted to enter or remain on the licensed premises when alcohol is being sold or supplied.
81. The PLH/DPS will provide [specify ratio] adult supervisors at a ratio of [specify ratio] who can provide care for the children as they move from stage to dressing room etc., and to ensure that all children can be accounted for in case of an evacuation or an emergency.
82. The licence holder and/or DPS shall ensure that any child performer is licensed with Manchester City Council's Licensing Unit and accompanied by a registered chaperone. Documented records should be kept for six months, including the child's name, their licence number and chaperone details.
83. Where children are allowed on the premises, information shall be displayed [location] on what to do if there is a cause for concern regarding a child's welfare. This shall include reporting to Manchester City Council via its Contact Centre on 0161 234 5000 or [mcsreply@manchester.gov.uk](mailto:mcsreply@manchester.gov.uk), or the NSPCC on 0808 800 5000 (free 24-hour service) or dialling 999 in the event of an immediate threat.

### **Late night refreshment**

84. Any hot food or hot drink provided after 11pm (late night refreshment) under this licence must only be consumed on the premises.
85. Between [specify hours from 11pm/days] customers must not be permitted to remove from the premises any hot food or hot drink (late night refreshment) provided at the premises.

### **Large events**

86. The Premises licence Holder must comply with the Event Management Plan submitted to and approved by the Licensing Authority and no changes will be made to the Event Management Plan without the prior written consent of the Licensing Authority.

### **Boxing and wrestling (including MMA and other combat sports)**

87. The Premises licence Holder must comply with the Event Management Plan submitted to and approved by the Licensing Authority and no changes will be made to the Event Management Plan without the prior written consent of the Licensing Authority. The Plan must set out (but is not limited to):

- (i) how fighters will be matched
- (ii) the measures that will be in place to ensure the safety and welfare of competitors; including medical facilities and qualified staff provision
- (iii) fighter details
- (iv) layout of the venue
- (v) competition rules
- (vi) referee details including qualifications.

### **Adult entertainment**

88. The premises may not show R18 films without the benefit of a sex cinema licence.

89. No person under the age of 18 will be permitted to enter or remain on the premises when any "relevant entertainment" (as defined in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982) is taking place.

For reference:

Relevant entertainment is 'Any live performance or any live display of nudity, which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).

Display of nudity means in the case of a woman - exposure of her nipples, pubic area, genitals or anus; and  
in the case of a man - exposure of his public area, genitals or anus.

The audience can consist of one person.

### **Dispersal**

90. The dispersal of customers from the premises must be managed in accordance with the following:

- (i) Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.
- (ii) Public announcements requesting customers to leave quietly to minimise disturbance to nearby residents
- (iii) A [specify minutes] period where [music volume is reduced / lighting increased / alcohol sales cease].
- (iv) A suitable member of staff or a Door Supervisor[s] will be visible at each public entrance / exit to control the dispersal, to remind people to leave quietly, and to prevent patrons from re-entering the premises,

and shall deter customers from using private hire vehicles without a prior booking

- (v) All drinks and glass vessels must be removed from patrons as they leave to ensure no glass leaves the premises.

91. From no later than 1 hour before the premises closes to the public, a member of staff shall be dedicated to monitor the dispersal of customers and ensure patrons do not contribute to anti-social behaviour in the vicinity. They will be easily identifiable by way of their uniform or high visibility jacket / vest; will have a detailed knowledge of all transport options in the area and provide directions for patrons who may be loitering in the vicinity of the premises.