



Licensing Sub Committee Hearing Panel

Date: Monday, 9 November 2020

Time: 10.00 am

Venue: Dial: 033 3113 3058 Room number: 37978770 #
PIN: 2991 #

Everyone is welcome to attend this Sub-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.

This meeting is by way of a telephone conference. You can listen to the call as it takes place, the number of people able to listen to the live call is limited to 90.

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Andrews, Ludford and Hughes

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. New Premises Licence - Tipples of Manchester, 16 Lloyd Street, Manchester, M2 5ND - determination

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The determination papers are enclosed.

5. New Premises Licence - TBC, 231-233 Deansgate, Manchester, M3 4BQ - determination

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The determination papers are enclosed.

Information about the Committee

The Licensing Sub-Committee Hearing Panel fulfills the functions of the Licensing Authority in relation to the licensing of premises.

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:

Ian Hinton-Smith
Tel: 0161 234 3043
Email: ian.hinton-smith@manchester.gov.uk

This agenda was issued on **Thursday, 29 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 Act 2003 (Hearings) Regulations 2005

Reference: 250346
Name: Tipples of Manchester
Address: 16 Lloyd Street, Manchester, M2 5ND
Ward: Deansgate
Application Type: Premises Licence (new)
Name of Applicant: Tipples of Manchester Ltd
Date of application: 22 September 2020

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

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

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

Proposed licensable activities and opening hours to be granted

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

Mon to Sun 9.00am to 10.00pm

Opening hours:

Mon to Sun 10.00am to 10.00pm

Representations received

The Trading Standards Service

The Trading Standards Service are satisfied that the applicant has provided comprehensive information as to how they intend to operate the Challenge 25 policy at the premises but is concerned that staff working at the premises will subsequently possess little knowledge or understanding as to how they should implement that policy correctly and effectively (thereby properly upholding the Licensing Objective relating to the protection of children from harm). Furthermore it is also of concern to the Trading Standards Service that the premises appears to be setting insufficient safeguards in place in regard to the delivery of online sales/orders of

alcohol to customer's home addresses in order to prevent the supply of alcohol to underage persons from taking place. To ensure full compliance with the Licensing Objective relating to the protection of children from harm, The Trading Standards Service is requesting the imposition of a range of extra conditions on to any subsequently granted premises licence.

Agreements between parties

The Trading Standards Service:

- All staff authorised to sell alcohol shall be trained in:
 - the prevention of underage sales of alcohol;
 - the prevention of proxy purchases of alcohol;
 - maintenance of the refusals log;
 - where till prompts are installed, how to enter sales correctly on the tills so the prompts show as appropriate;
 - how to refuse service.
- 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. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.
- It must be indicated on the landing page of the website that a Challenge 25 Scheme is operated. It must also state on the page that it is an offence to buy or attempt to buy alcohol if you are under 18 and that valid ID shall be requested on delivery if the person receiving the delivery appears under 25. The alcohol licence number must also be displayed on the website.
- Customers must be informed on the website, and prior to delivery, that a person over 18 must be available to take delivery of alcohol and that ID may be requested in the form of a passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram to prove they are over 18.
- The customer buying alcohol on the website must have to take positive action to attest they are over 18 (this may be by means of ticking a box and/or entering their date of birth).
- Staff must be trained to ensure that they know how to record when alcohol is returned to you as a result of a refusal to deliver alcohol to a person is made.
- Delivery drivers must be instructed in writing by the Licence Holder to ask for valid ID comprising a valid passport, valid photo card driving licence, an HM forces warrant card or a card bearing the PASS hologram on delivery if the person receiving the delivery appears under 25.

Background documents (available for public inspection):

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Original application form
- Representations made against application and respective agreements

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Licensing Act 2003 (Hearings) Regulations 2005

Reference: 251063
Name: TBC
Address: 231-233 Deansgate, Manchester, M3 4BQ
Ward: Deansgate
Application Type: Premises Licence (new)
Name of Applicant: Neil Gazzard
Date of application: 29 September 2020

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

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

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

Proposed licensable activities and opening hours to be granted

Provision of regulated entertainment (live music, recorded music):

Mon to Sat 10am to 11pm

Sun 10am to 8pm

Non-standard timings:

Christmas Eve: 3pm to 11pm

The supply of alcohol for consumption on the premises only:

Mon to Sat 10am to 11pm

Sun 10am to 10pm

Opening hours:

Mon to Sat 10am to 11pm

Sun 10am to 10pm

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| Representations received | |
| Trading Standards | Protection of children from harm (lack of detail regarding training and Challenge 25) |

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| Agreements between parties |
| <p>Trading Standards</p> <ol style="list-style-type: none"> All staff authorised to sell alcohol shall be trained in: <ul style="list-style-type: none"> The prevention of underage sales of alcohol The prevention of proxy purchases of alcohol Maintenance of the refusals log Where till prompts are installed, how to enter sales correctly on the tills so the prompts show as appropriate How to refuse service 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. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council. The Challenge 25 scheme and the proof of age checks operated must ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority. The premises shall display prominent signage indicating at any point of sale and at the entrance to the premises 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. 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 a reasonable time of a request by an officer of a Responsible Authority. |

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