



Licensing Sub Committee Hearing Panel

Date: Monday, 13 September 2021
Time: 11.00 am (or at the rise of the Licensing and Appeals
Committee)
Venue: Council Chamber, Level 2, Town Hall Extension

Everyone is welcome to attend this Sub-Committee meeting.

Access to the Council Chamber

Public access to the Council Chamber 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.

There is no public access from any other entrance of the Extension.

Face Masks/Track and Trace

Anyone attending the meeting is encouraged to wear a face mask for the duration of your time in the building and to provide contact details for track and trace purposes.

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Andrews, Connolly and Jeavons

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 New Premises Licence - Eat Sweet Caribbean, Second Floor Right Part, 27-29 Church Street, Manchester, M4 1PE - determination** 5 - 6
The determination papers are enclosed.

- 5. Application for a New Premises Licence - Warehouse/Restaurant TBC, 4 Cross Keys Street, Manchester, M4 5BB - determination** 7 - 10
The determination papers are enclosed.

- 6. Application for a Premises Licence Variation - Sixes, Unit 6, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR - determination** 11 - 14
The determination papers are enclosed.

- 7. Application for a New Premises Licence - Wine Tales, Arch 89, Hewitt Street, Manchester, M15 4GB - determination** 15 - 16
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 **Friday, 3 September 2021** 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: 259928
Name: Eat and Sweet Caribbean
Address: Second Floor Right Part, 27-29 Church Street,
Manchester, M4 1PE
Ward: Piccadilly
Application Type: Premises Licence (new)
Name of Applicant: Eat and Sweet Caribbean Food Limited
Date of application: 19 July 2021

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 12pm (midday) to 11pm

Opening hours:
Mon to Sun 12pm (midday) to 11pm

Representations received

Greater Manchester Police	The operating schedule which accompanies the application offers good conditions, but no CCTV condition has been offered to best demonstrate how the licensing objectives would be upheld.
Trading Standards	A number of additional conditions would help ensure that the licensing objective of the protection of children from harm is not undermined.

Agreements between parties

Greater Manchester Police:

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

Licensing & Out of Hours Compliance:

2. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram.
3. All staff engaged in the sale and delivery of alcohol will be trained with regards to the Challenge 25 policy. This training will be documented, and training should be refreshed at no greater than 12 monthly Intervals. The Premises Licence holder shall also ensure that all employees of any third party engaged in the delivery of alcohol, i.e. couriers have also been trained by their employers regarding the Challenge 25 policy. This training should also be documented.
4. At the point of delivery, the Challenge 25 policy should be operated. The only ID that should be accepted is a passport, photo driving licence, PASS accredited proof of age card or military identification card.
5. The Premises Licence Holder will ensure that a sticker is applied to all consignments of alcohol. It shall read "Note to delivery service, this package contains age restricted products. Ensure recipient is over 18".

Background documents (available for public inspection):

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



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 261211
Name: Warehouse/Restaurant (Name TBC)
Address: 4 Cross Keys Street, Manchester, M4 5BB
Ward: Piccadilly
Application Type: Premises Licence (new)
Name of Applicant: Christopher Ford Mackenzie
Date of application: 19 July 2021

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

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

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

Proposed licensable activities and opening hours to be granted

Provision of regulated entertainment (recorded music) (indoors):
Mon to Sun 11pm to 12 midnight.

Provision of late night refreshment (indoors):
Mon to Sun 11pm to 12 midnight.

The supply of alcohol for consumption both on and off the premises:
Mon to Sun 10am to 12 midnight.

Opening hours:
Mon to Sun 10am to 12.30 am.

Representations received

Greater Manchester Police	Concerns regarding the lack of conditions regarding SIA security, Nitenet and CCTV and the consequent effect on the four licensing objectives.
Trading Standards	Concerns regarding the lack of conditions relating to alcohol delivery and underage sales

	and the consequent effect on the protection of children from harm licensing objective.
Licensing & Out of Hours Compliance	Concerns regarding the prevention of public nuisance licensing objective due to the late terminal hour, the proximity of residential accommodation and a history of noise issues from nearby premises with an earlier terminal hour.

Agreements between parties

Greater Manchester Police:

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.
2. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of identification to enable to verify their identity against the notice.
3. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log and monitor staff to ensure their training is put into practice. 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.

The following conditions would apply when the premises is operating as a bar/restaurant:

4. On a Thursday, Friday and Saturday SIA registered door staff shall be provided at a ratio of 1:100 from 2200hrs until 30 minutes after closing to assist with the orderly dispersal of customers. At all other time the requirement for door staff shall be risk assessed. Whilst on duty door staff shall wear high visibility arm bands.
5. At least one member of SIA door staff positioned at the entrance shall wear and operate a body cam, The body cam shall be used to capture all incidents of crime and/or disorder and footage shall be stored for a minimum of 28 days and made available to Police and relevant authorities upon request.

6. SIA door staff shall actively monitor the smoking area and queues.
7. The NiteNet radio system shall be operated at the premises from 2200hrs each day. The management of the premises will ensure that the radio is switched on and working each day.

Trading Standards

1. A message will be displayed on the website notifying customers of the Challenge 25 policy in place and that orders will not be left with any person under 18 years of age upon delivery and that the courier may request the recipient to produce satisfactory identification evidence to prove that they are at least 18 years of age.
2. All staff engaged in the delivery/ click and collect of alcohol will be trained with regards to the Challenge 25 policy. This training will be documented and training should be refreshed at no greater than 6 monthly Intervals. The Premises Licence holder shall also ensure that all employees of any third party engaged in the delivery of alcohol, i.e. couriers have also been trained by their employers regarding the Challenge 25 policy. This training should also be documented.
3. At the point of delivery the Challenge 25 policy should be operated. The only ID that should be accepted is a passport, photo driving licence, PASS accredited proof of age card or military identification card.
4. The Premises Licence Holder will ensure that a sticker is applied to all consignments of alcohol .It shall read “Note to delivery service, this package contains age restricted products. Ensure recipient is over 18”.
5. A log shall be kept and record all instances when a consignment of alcohol has not been delivered for the reasons that the person(s) is, or appear to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.
6. Any promotional material and/or any website homepage 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/business cards promoting the business.
7. The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises and in all areas where alcohol is located that the Challenge 25 scheme is in operation.
8. The premises shall display prominent signage indicating at any point of sale 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.
9. In addition to any other training, the premises licence holder shall ensure that all staff are trained to prevent underage sales, are aware of and prevent proxy sales, maintain the refusals log, enter sales correctly on the tills so the prompts show as appropriate, and that they monitor staff to ensure their training is put into practice.
10. 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.

11. A log shall be kept at the premises to record all refused sales of alcohol for the reasons that the person(s) is/are, or appear(s) to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.

Licensing & Out of Hours Compliance:

1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
2. No bottles, glasses or similar items may be disposed of in outside receptacles between 23:00 and 08:00 hours.
3. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
4. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
5. The exterior of the building shall be cleared of litter, of which is directly associated being from the premises, at regular intervals.
6. Patrons permitted to temporarily leave and then re-enter the premises, eg. to smoke, shall not be permitted to take drinks or glass containers with them after 23:00. This includes the outside area on the corner of Cross Keys Street and Cable Street.

Background documents (available for public inspection):

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



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 261781
Name: Sixes
Address: Unit 6, The Corn Exchange, 37 Hanging Ditch, Manchester, M4 3TR
Ward: Deansgate
Application Type: Premises Licence variation
Name of Applicant: Sixes Cricket Limited
Date of application: 28 July 2021

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

Description of proposed variation as given by the applicant:

- To vary the layout of the premises in accordance with the plans submitted by the applicant, namely:
 - to reconfigure the fixed seating layout of the premises, and;
 - to include cricket nets within the premises.
- To amend conditions on the premises licence under Annex 2 as follows:
 - To amend condition 1 under Annex 2 to read as follows: *'The premises shall run primarily as a restaurant and/or premises offering a customer experience'*;
 - To amend condition 4 under Annex 2 to read as follows: *'At any given time no less than 80% of the internal trading area shall be given over to tables and chairs and cricket nets'*;
 - To amend condition 18 under Annex 2 to read as follows: *'Persons under the age of 16 shall only be permitted onto the premises in the company of an adult'*.

- To add the licensable activity indoor sporting events 09:00 to 00:30 Sunday to Wednesday and 09:00 to 02:00 Thursday to Saturday.

Proposed hours and licensable activities:

Provision of regulated entertainment (indoor sporting events):

Proposed hours: Sun to Wed 9am to 12.30am

Proposed hours: Thu to Sat 9am to 2am

All other licensable activities and timings for such licensable activities and current premises operating timings are to remain unchanged.

Representations received

<p>Licensing & Out of Hours Compliance</p>	<p>A representation has been submitted against the application by the LOOH Compliance Team on the basis of the Licensing Objectives likely to being undermined should the application be granted in its original form (with specific reference to the Licensing Objective relating to the prevention of Public Nuisance).</p> <p>Due to the location of the premises (in close proximity to Cathedral Gardens, Manchester Cathedral, Chethams School of Music and various other commercial/residential premises) it is of concern to LOOH Compliance Team that the premises change of operation from a food-led establishment to a sports bar could lead to issues of public nuisance and antisocial behaviour occurring that could adversely impact upon the nearby/adjacent premises referred to. LOOH Compliance Team are also concerned that patrons of the premises could take unsealed containers of alcohol on to the adjacent open/public space (Cathedral Gardens) thereby breaching the 'Public Space Protection Order' currently in operation in said location.</p> <p>In order to offset their concerns LOOH Compliance Team are requesting additional conditions be adopted on to any subsequently granted premises licence (agreement was/has been reached with the applicant regarding the LOOH Compliance Team representation).</p>
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Agreements between parties

Licensing & Out of Hours Compliance:

- Customers shall not be permitted to remove from the premises any alcoholic drinks supplied by the premises in open containers except for consumption in any delineated external area as shown on the plan attached to the licence.
- The DPS/Manager shall provide contact details to neighbouring premises as a point of contact should any disturbance arise. (including Manchester Cathedral and Cheetham School of Music)
- All external windows and doors shall 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.
- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
- 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 shall be easily identifiable by way of their uniform or high visibility jacket/vest; shall 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.
- There shall be a documented, site-specific, smoking policy, as agreed with the Manchester City Council Environmental Health section, implemented at the premises and a copy lodged with the Council's Licensing Unit.

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: 261577
Name: Wine Tales
Address: Arch 89, Hewitt Street, Manchester, M15 4GB
Ward: Deansgate
Application Type: Premises Licence (new)
Name of Applicant: Mr Angel Anibal Campillo Navarro
Date of application: 26 July 2021

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

Proposed hours and licensable activities:

The supply of alcohol for consumption off the premises only:
Mon to Sat 9am to 11pm.

Opening hours:
The premises will not be open to the public.

Representations received

Trading Standards

Trading Standards consider that granting the application with the operating schedule in the application could lead to issues which undermine protection of children from harm licensing objective.

Trading standards propose a number of conditions that they would wish to see attached to the licence if granted. Those conditions have been agreed to.

Agreements between parties

Trading Standards Service – agreed conditions:

1. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram.
2. A message will be displayed on the website notifying customers of the Challenge 25 policy in place and that orders will not be left with any person under 18 years of age upon delivery and that the courier may request the recipient to produce satisfactory identification evidence to prove that they are at least 18 years of age.
3. All sales will be made through online sales only, there shall be no other means to place an order.
4. All staff engaged in the sale and delivery of alcohol will be trained with regards to the Challenge 25 policy. This training will be documented, and training should be refreshed at no greater than 12 monthly Intervals. The Premises Licence holder shall also ensure that all employees of any third party engaged in the delivery of alcohol, i.e. couriers have also been trained by their employers regarding the Challenge 25 policy. This training should also be documented.
5. At the point of delivery, the Challenge 25 policy should be operated. The only ID that should be accepted is a passport, photo driving licence, PASS accredited proof of age card or military identification card.
6. The Premises Licence Holder will ensure that a sticker is applied to all consignments of alcohol. It shall read “Note to delivery service, this package contains age restricted products. Ensure recipient is over 18”.
7. A log shall be kept and record all instances when a consignment of alcohol has not been delivered for the reasons that the person(s) is, or appear to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.

Background documents (available for public inspection):

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