



# **Licensing Sub Committee Hearing Panel**

Date: Friday, 23 July 2021

Time: 10.00 am

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**

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**Councillors** - Ludford (Chair), Grimshaw (Deputy Chair) and Andrews

## 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. Temporary Event Notice - The Loft, 1 New Street, Manchester, M40 8AW**

The report of the Director of Planning, Building Control and Licensing is enclosed.

## Information about the Committee

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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

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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 **Thursday, 15 July 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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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Sub-Committee Hearing Panel – 23 July 2021

**Subject:** The Loft, 1 New Street, Manchester, M40 8AW - ref: LTN261039

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

**Summary**

Submission of a temporary event notice where an objection notice has been given.

**Recommendations**

That the Panel consider the objection notice(s) and give a counter notice where it considers it appropriate.

**Wards Affected:** Miles Platting & Newton Heath

<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	An effective Licensing regime will enable growth in our City by supporting businesses who promote the Licensing Objectives.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications. Representations have to be directly related to the licensing objectives.
A liveable and low carbon city: a destination of choice to live, visit and work.	An effective licensing system supports and enables growth and employment in our City with neighbourhoods that provide amenities suitable to the surrounding communities.
A connected city: world class	

infrastructure and connectivity to drive growth	
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**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:**

Name: Fraser Swift  
 Position: Principal Licensing Officer  
 Telephone: 0161 234 1176  
 E-mail: f.swift@manchester.gov.uk

Name: Helen Howden  
 Position: Technical Licensing Officer  
 Telephone: 0161 234 4139  
 E-mail: Premises.licensing@manchester.gov.uk

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**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
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

## 1. **Introduction**

- 1.1 On 8 July 2021, a temporary event notice (TEN) was given under s100A of the Licensing Act 2003 in respect of The Loft, 1 New Street, Manchester, M40 8AW in the Miles Platting & Newton Heath ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 In accordance with Licensing Act 2003 regulations, Greater Manchester Police (GMP) and Licensing Out of Hours Compliance (LOOH) were notified of the TEN.
- 1.3 Where either GMP or LOOH is satisfied that allowing the premises to be used in accordance with the TEN would undermine a licensing objective, they must give an objection notice to the relevant licensing authority, the premises user, and to every other relevant person.
- 1.4 The objection notice must be given no later than three working days after the day on which the objector is given the TEN.
- 1.5 An objection notice has been received in respect of this TEN and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

## 2. **The Notice**

- 2.1 A copy of the TEN is attached at **Appendix 2**.
- 2.2 The premises user is Mr Oliver Keenan Ryder.
- 2.3 The description of the event is: An event run by the people behind Animal Crossing Ltd
  - 2.3.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this TEN.
  - 2.3.2 Any further details provided relating to any of the individual licensable activities are specified on the TEN at **Appendix 2**.
  - 2.3.3 The premises is subject to a premises licence issued under the Licensing Act 2003. A copy of the licence is included at **Appendix 4**.
- 2.4 No Further documentation has been submitted in relation to the TEN
- 2.5 **Activities unsuitable for children**
  - 2.5.1 The premises user has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

### 3. **Objection Notice**

3.1 An objection notice was received from LOOH in respect of the TEN (**Appendix 3**).

3.2 Summary of the objections

Party	Grounds of representation	Recommends
<b>Licensing and Out of Hours Compliance</b>	LOOH objected to the application based on the grounds that the premises is located approximately 120m to the nearest residential street, Canada Street, a place of worship and a heavy vehicle haulage firm. LOOH state it is likely that customers arriving to the premises, queuing to enter, and smokers could cause nuisance to nearby residents, worshippers and businesses , by obstruction of people emerging, possibly intoxicated, into waiting taxis, or hanging around outside on New Street at 10am on Sunday morning.	Serve a counter notice

### 4. **Key Policies and Considerations**

#### 4.1 **Legal Considerations**

4.1.1 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.

#### 4.2 **New Information**

4.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations or notice either before the hearing or, with the consent of all parties, at the hearing.

#### 4.3 **Hearsay Evidence**

4.3.1 The Panel may accept hearsay evidence and it will be a matter for the Panel to attach what weight to it that they consider appropriate. Hearsay evidence is evidence of something that a witness neither saw nor heard, but has heard or read about.

#### 4.4 **The Secretary of State's Guidance to the Licensing Act 2003**

4.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided for all parties involved in licensing. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.



- 4.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must ‘have regard to’ guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.
- 4.4.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

#### 4.5 **Manchester Statement of Licensing Policy**

- 4.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must ‘have regard to’ its statement of licensing policy.
- 4.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.
- 4.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.
- 4.5.4 Where the authority considers that to impose on the TEN one or more of the conditions from a premises licence or club premises certificate in force at the premises (insofar as such conditions are not inconsistent with the event) is appropriate for the promotion of the licencing objectives, the policy is to give notice to the premises user that includes a statement of the conditions imposed. Copies of this notice will be provided for GMP and LOOH.
- 4.5.5 Where, following any representations at the hearing, the licensing authority is not satisfied the event will ensure the promotion of the licensing objectives, the policy is to issue a counter-notice against the Temporary Event Notice.

#### 5. **Conclusion**

- 5.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 5.2 In considering the matter, the Panel should take into account any objections that have been received from GMP or LOOH, and representations made by the applicant or premises user as the case may be. In reaching the decision,

regard must also be had to relevant provisions of the national guidance and the Council's licensing policy statement.

- 5.3 Having regard to the objection notice(s), the panel must give the premises user a counter notice if it considers it appropriate for the promotion of a licensing objective to do so.
- 5.4 If the panel decides not to give a counter notice the panel may impose one or more conditions on the TEN if –
- the authority considers it appropriate for the promotion of the licensing objectives to do so,
  - the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and
  - the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.
- 5.5 All licensing determinations should be considered on the individual merits of the notification.
- 5.6 The Panel's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 5.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
6. **The Panel is asked to determine the temporary event notice.**



<b>PREMISE NAME:</b>	The Loft
<b>PREMISE ADDRESS:</b>	1 New Street, Manchester, M40 8AW
<b>WARD:</b>	Miles Platting & Newton Heath
<b>HEARING DATE:</b>	<b>23/07/2021</b>

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Licensing Legal Solicitors Unit 25, The Progress Centre Charlton Place	
Post town Manchester	Postcode M12 6HS
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	██████████
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	████████████████████

<b>2. The premises</b>	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
The Loft 1 New Street Manchester M40 8AW	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	248975
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
N/A	
Please describe the nature of the premises below. (Please read note 4)	
Music / Events Venue	
Please describe the nature of the event below. (Please read note 5)	
Event run by the people behind Animal Crossing Music Limited.	

All Conditions currently in place on the Premises Licence will be in effect during the event.

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	x	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment (Please read note 7)	x	
The provision of late night refreshment	<input type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
31 <sup>st</sup> July into 1 <sup>st</sup> August 2021		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 10)		
(31 <sup>st</sup> July 2021) 23:00 until 10:00 (1 <sup>st</sup> August 2021)		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		
150		
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	x
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)

N/A
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4. Personal licence holders (Please read note 14)		
Do you currently hold a valid personal licence? (Please tick)	Yes x	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	Salford City Council	
Licence number	██████████	
Date of issue		
Any further relevant details		

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes x	No
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	3	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No x

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No x
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No x



Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No x
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No x

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	x
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	x
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	x
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	x
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	x
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	x
Made or enclosed payment of the fee for the application	x
Signed the declaration in Section 9 below	x

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)
The information contained in this form is correct to the best of my knowledge and belief.
I understand that it is an offence: (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.

Signature	<i>Licensing Legal Solicitors</i>
Date	8 <sup>th</sup> July 2021
Name of Person signing	Solicitors & Authorised Agent for the Applicant

For completion by the licensing authority

10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

<b>Licensing &amp; Out of Hours Compliance Team - Representation</b>	
Name	Michael Wilson
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	[REDACTED]
Telephone Number	[REDACTED]

Premise Details	
Application Ref No	261039
Name of Premises	The Loft
Address	1 New Street, Manchester, M40 8AW

Representation	
Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.	
<p>The Licensing and Out of Hours Team (LOOHT) have assessed the likely impact of the late-night premises known as The Loft, 1 New Street, Manchester M40 8AW considering several factors. This includes the location of nearby residential properties, the hours applied for, Manchester City Council's statement of licensing policy 2016-2021, and any potential risk of the granting of this Temporary Event, that could lead to the undermining of the licensing objectives.</p> <p>The premises that is located on New Street which is a relatively narrow street, located close to residential streets and industrial businesses in the neighbourhood ward of Miles Platting and Newton Heath.</p> <p>This Temporary Event would be on a Saturday night ending on a Sunday morning at 10:00 am.</p> <p>The premises' licence was granted in October 2020 and there has not yet been an opportunity to open and demonstrate an ability to operate in accordance with the conditions on the licence, and in relation to managing the potential for public nuisance. The Licence already allows for Saturday night / Sunday morning to operate until 05:00 am.</p> <p>It is of note to mention following the sub committee hearing on 12 October 2020 the sub committee decision regarding 12 occasions of non-standard timings per year from 05:00am till 12:00 pm on Saturday and Sunday were refused. The committee considered that these timings would have a detrimental effect on local residents and wouldn't uphold the public nuisance licensing objective.</p> <p>The LOOHT have also considered Manchester City Council's Statement of Licensing Policy 2016 - 2021, specifically:</p> <p>7.25 Where its discretion is engaged, the licensing authority will ensure that due consideration is given to the proximity of licensed premises not only to local residents and businesses, but also in relation to other licensed premises, to ensure they are located in a position that does not adversely affect their ability to ensure the promotion of the licensing objectives. The potential impact on any residents will be an important matter for consideration.</p> <p>7.26 Where premises are in the direct vicinity of local residential properties, and where its discretion is engaged, the authority will consider measures proposed in the application in relation to prevent nuisance, such as:</p> <ul style="list-style-type: none"> <li>– Prevention of noise or vibration escaping from the premises due to volume of music or plant and machinery noise</li> <li>– Prevention of noise disturbance from people entering and leaving the premises (eg. queue management, dispersal policy) – Prevention of disturbance by people outside the premises (eg. smoking areas)</li> </ul>	

- Litter from the premises (This issue is considered particularly relevant in respect of late-night takeaways and smoking-related litter outside licensed premises)
- Disturbance caused by deliveries associated with licensable activities, including waste collection.

Considering Section 7.25 and 7.26. The premises is located approximately 120m to the nearest residential street, Canada Street. Therefore, it is likely that customers arriving to the premises, queuing to enter, and smokers could cause nuisance to nearby residents. The premises is a warehouse unit that when visited on 13 July 2021 was still being fitted out by workmen and I was unable to assess whether agreed measures within the licence to mitigate possible nuisance are in fact in place. The premises is located on a narrow street next to a church that runs a service from 10am on Sundays. This will mean that families with children arriving to use the church by car prior to 10:00 am service will likely either be obstructed by 150 people emerging, possibly intoxicated, into waiting taxis, or hanging around outside on New Street at 10am on Sunday morning, or from the music itself which won't end until 10:00am. The premises is also located across the road from a Royal Mail Distribution office and a heavy haulage firm. Being located closely to both businesses, which have multiple vehicles including heavy good vehicles it is likely that the vehicles will need to use the road at the same time as dispersal of the premises. Which could result in many intoxicated customers trying to walk down New Street at the same time as the movement of heavy good vehicles whilst taxis will be blocking the road that businesses and the church next door need to use. This could lead to not only public safety issues but the use of horns and raised voices giving rise to public nuisance. It is my view that 10:00am on a Sunday morning is unreasonable.

Furthermore, the Temporary Event Notice does not explain what type of event will be held between 23:00 on 31 July 2021 to 10:00 am 01 August 2021. As a minimum I would expect to see a description of the event itself. Without understanding what the event is it is difficult to see how it can be agreed.

In addition to this the Temporary Event Notice states that "all conditions currently in place on the premises licence will be in effect during the event". One of the conditions is that the premises is closed at 05:00 am and alcohol stops being sold at 04:00 am. I would suggest that the undescribed use of the premises on the 31 July to 01 August 2021 remains within the current hours for licensable activity.

The Notice does not in any way try to explain how it will prevent public nuisance arising from licensable activities extending by 5 hours and ending at 10:00 am on a Sunday morning.

Consideration should be given to the following sections of Manchester City Council's Statement of Licensing Policy;

7.29 The authority considers that later hours will typically be more sensitive and higher risk in causing problems.

7.31 It is recognised that in spite of the quality of the operation of the business, where patrons are out of the control of the licensee, the lateness of the terminal hour for the premises will often be a contributory factor in the potential for disturbance.

It is likely that this event will give rise to public nuisance for residents and because of this The Licensing and Out of Hours Team objects to the Temporary Event.

Recommendation: Objection



# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	248975
Granted	12/10/2020
Latest version	Correction Issued 14/10/2020

### Part 1 - Premises details

<b>Name and address of premises</b>
<b>The Loft</b> 1 New Street, Manchester, M40 8AW

<b>Licensable activities authorised by the licence</b>
<ol style="list-style-type: none"> <li>1. The sale by retail of alcohol*.</li> <li>2. The provision of regulated entertainment, limited to: <ul style="list-style-type: none"> <li>Performance of plays;</li> <li>Exhibition of films;</li> <li>Live music;</li> <li>Recorded music;</li> <li>Performances of dance;</li> <li>Anything similar to live music, recorded music or the performance of dance.</li> </ul> </li> <li>3. The provision of late night refreshment.</li> </ol> <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

<b>The times the licence authorises the carrying out of licensable activities</b>
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<b>Sale by retail of alcohol</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1200	1200	1200	1200	1200	1200	1200
Finish	2300	2300	2300	2300	0400	0400	2300
The sale of alcohol is licensed for consumption on the premises only.							
<b>Seasonal variations and Non-standard Timings:</b>							
From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.							

<b>Performance of plays; Exhibition of films; Live music; Recorded music; Performances of dance; Anything similar to live music, recorded music or the performance of dance</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1200	1200	1200	1200	1200	1200	1200
Finish	0000	0000	0000	0000	0500	0500	0000
Licensed to take place indoors only.							
<b>Seasonal variations and Non-standard Timings:</b>							
From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.							

<b>Provision of late night refreshment</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0000	0000	0000	0000	0500	0500	0000
Licensed to take place indoors only.							
<b>Seasonal variations and Non-standard Timings:</b>							
From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.							

<b>Hours premises are open to the public</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1200	1200	1200	1200	1200	1200	1200
Finish	0000	0000	0000	0000	0500	0500	0000
<b>Seasonal variations and Non-standard Timings:</b>							
From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.							

## Part 2

<b>Details of premises licence holder</b>	
<b>Name:</b>	Animal Crossing Music Ltd
<b>Address:</b>	303 The Pill Box, 115 Coventry Road, London, E2 6GH
<b>Registered number:</b>	11368411

<b>Details of designated premises supervisor where the premises licence authorises for the supply of alcohol</b>	
<b>Name:</b>	Oliver Keenan-Ryder
<b>Address:</b>	[REDACTED]
<b>Personal Licence number:</b>	[REDACTED]
<b>Issuing Authority:</b>	Salford City Council

<b>Annex 1 – Mandatory conditions</b>	
<b>Door Supervisors</b>	
1.	Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: - <ul style="list-style-type: none"> <li>(a) Unauthorised access or occupation (e.g. through door supervision),</li> <li>(b) Outbreaks of disorder, or</li> <li>(c) Damage,</li> </ul> unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.
<b>Supply of alcohol</b>	
2.	No supply of alcohol may be made under this premises licence: <ul style="list-style-type: none"> <li>(a) At a time when there is no designated premises supervisor in respect of the premises licence or,</li> <li>(b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.</li> </ul>
3.	Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
4.	(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
5. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
- (2) For the purposes of the condition set out in (1) above–
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
  - (b) “permitted price” is the price found by applying the formula–
- $$P = D + (D \times V)$$
- where –
- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

8. The responsible person must ensure that –

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

For the purposes of conditions 6, 7 and 8 above, a responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

#### **Exhibition of films**

9. The admission of children under the age of 18 to film exhibitions permitted under the terms of this certificate shall be restricted in accordance with any recommendations made:
- (a) by the British Board of Film Classification (BBFC) where the film has been classified by that Board, or
  - (b) by the Licensing Authority where no classification certificate has been granted by the BBFC, or where the licensing authority has notified the club which holds the certificate that section 20 (3) (b) (74 (3)(b) for clubs) of the Licensing Act 2003 applies to the film.



**Annex 2 – Conditions consistent with the operating schedule**

1. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions, particularly head and shoulders recognition.
2. Cameras shall encompass all ingress and egress to the premises, fire exits and all areas where the sale / supply of alcohol occurs. The Premises Licence holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format on to DVD for officers of Responsible Authorities.
3. Equipment must be maintained in good working order and be correctly time and date stamped. Any hard drive system used must be capable of retaining images for a minimum of 31 days on a roll-over basis.
4. 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.
5. 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 GMP or an Authorised Officer of the Licensing Authority.
6. All drinks shall only be sold in a container made from non-splintering plastic, paper or shatterproof glass during any dance or DJ-led events.
7. Door Staff to be engaged at the premises from 60 minutes before opening until 30 minutes after close whenever the premises are open beyond midnight. The number of door staff shall be such as is determined by a risk assessment by management each day, at the ratio of 1:100.
8. When employed at the premises, all door staff will wear high-visibility jackets, both when inside and outside the premises for DJ-led events, and outside only for private, corporate and/or brand-led events.
9. The Drugs Policy will be agreed by the Licensing & Out of Hours Team and attached to this Licence.
10. Any person who appears to be drunk shall not be permitted to enter the premises.
11. All fire-fighting equipment shall be maintained in accordance with the necessary certification and maintenance requirements.
12. Public Liability Insurance shall be maintained in respect of the premises.
13. Prior to opening to the public, the premises will be available for inspection by Greater Manchester Fire Authority.
14. An adequate fire detection service and appropriate emergency lighting system are to be installed at the premises.
15. Staff shall make regular checks of the toilet facilities.
16. The premises shall have a comprehensive emergency procedure, and Management shall ensure that all staff are fully trained in the safe handling of emergencies.
17. The Dispersal Policy agreed by the Licensing & Out of Hours Team is attached to this Licence and is a Condition of the Premises Licence.
18. A Noise Limiter will be fitted and set at a level as agreed with Environmental Health.
19. No noise shall emanate from the premises, nor vibration be transmitted through the structure of the premises, which gives rise to a public nuisance.
20. All doors and windows shall remain closed during regulated entertainment except for access and egress or in case of emergency.
21. Notices shall be placed at the exits to the premises asking customers to leave the premises quickly and quietly.
22. There shall be no disposal of glassware or containers outside the premises between 22:00 and 07:00.
23. The Smoking Policy agreed by the Licensing & Out of Hours Team is attached to this Licence and is a Condition of the Premises Licence.

24. The area outside the premises will be kept clean and tidy, and staff will tidy away any litter at the conclusion of trading.
25. There shall be regular and adequate refuse collections from the premises.
26. Local taxi numbers shall be made available for customers, to assist in procuring a taxi.
27. Adequate rubbish bins will be placed outside of the premises and cleared away when the premises close.
28. No under 18's will be permitted on the premises after 21:00.
29. The Challenge 25 Policy shall be implemented in full and appropriate identification shall be sought from any person who appeared under the age of 25. The only acceptable forms of identification shall be passport, photo driving licence and those carrying the PASS logo.
30. Staff training shall include the Challenge 25 policy and its operation. The training shall be given to a new member of staff before they commence employment, and all staff will be retrained at least annually.
31. Notices shall be displayed inside the premises warning that it is illegal to purchase – or attempt to purchase – alcohol under the age of 18.

### **Annex 3 – Conditions attached after hearing by the licensing authority**

1. When operating the Challenge 25 Scheme, in addition to the appropriate ID's stated on the application, a UK forces warrant card is also acceptable ID and also that the PASS card must bear a hologram.
2. The signage referred to on the application shall also include a statement that a Challenge 25 Scheme is in operation.
3. 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.
4. All staff authorised to sell alcohol shall be trained in:
  - a. The prevention of underage sales of alcohol
  - b. The prevention of proxy purchases of alcohol
  - c. Maintenance of the refusals log
  - d. Where till prompts are installed, how to enter sales correctly on the tills so the prompts show as appropriate
  - e. How to refuse service.
5. 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 records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.
6. No events by an external promoter are to take place at the premises.
7. No ticket sales for an event to take place within 24 hours of the commencement of that event.
8. All ticket sales are to be done in advance and no tickets will be sold on the door.
9. No person who is considered to be drunk, or behaving in a disorderly manner will be allowed to enter.
10. All persons entering the premises, shall be subject to a search by an SIA trained member of staff, in an area monitored by CCTV. There will be a female SIA trained member of staff to undertake searches on female customers.
11. No liquids, food or aerosols are permitted into the premises and will be confiscated during the search.

12. A second soundproofing door creating an airlock system has been added to provide a further barrier for noise. On event days this will be manned by SIA registered doorstaff who will ensure that both doors are not open at the same time.
13. A limit of 10 to be placed on the number of people allowed in the external Smoking Area at any one time, and this will be closely monitored by doorstaff.
14. A Sound Engineer to be on site during events to ensure that sound is set at a level that will not cause nuisance to any residential properties. The Engineer to assess and fix sound levels according to the limiter agreed with Environmental Health before the event begins.
15. Speakers to be located so that all sound is projected within the venue.
16. No noise shall be audible at the nearest residential property situated 130m from the premises.
17. When a ticket is purchased for an event at the premises an e-mail to be sent which contains information regarding the location of the venue, public transport and taxi numbers.
18. A member of staff who is responsible for the external area of the premises and who will regularly patrol to ensure that no customers are congregating outside, or causing any disturbance.
19. The premises to employ a dedicated Street Marshall who will be available to assist customers leaving the premises.
20. Customers to be discouraged from loitering outside the premises and to be requested to leave the area quickly and quietly by doorstaff.
21. Customers to be assisted in obtaining transport whenever necessary.
22. At close of trade the venue and up to 50m either side will be cleared of any litter

**Annex 4 – Plans**

See attached

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