



Licensing Sub Committee Hearing Panel

Date: Wednesday, 22 September 2021

Time: 10.00 am

Venue: Virtual meeting - <https://vimeo.com/610622463>

Everyone is welcome to attend this Sub-Committee meeting.

Access to the virtual meeting

The public can view the meeting using the link above

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Grimshaw, Evans and Hewitson

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. Summary Review of Premises Licence (Interim Measures) -
Cirque Le Soir, St John's House, 2 Queen St, Manchester M2
5JB**

5 - 40

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

**5. Summary Review of Premises Licence (Interim Measures) -
History, Deansgate Court, 244 Deansgate, Manchester, M3
4BQ**

41 - 72

The report of the Head of Planning, Building Control and Licensing is 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 **Tuesday, 21 September 2021** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

This page is intentionally left blank

**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 22 September 2021

Subject: Cirque Le Soir, St Johns House, 2 Queen Street, Manchester, M2 5JB -
(App ref: LPU263981/HH)

Report of: Head of Planning, Building Control & Licensing

Summary

Interim Steps hearing for Summary Review of the premises licence under s53C of the Licensing Act 2003

Recommendations

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

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

The conditions of the licence are modified if any of them is altered or omitted or any new condition is added. Modification of the conditions of the premises licence can include altering or modifying existing conditions or adding any new conditions, including those that restrict the times at which licensable activities authorised by the licence can take place. Where the Sub-Committee consider that none of the above steps are appropriate for the promotion of the licensing objectives, no action should be taken in respect of the licence.

Wards Affected: Deansgate ward

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	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	

Full details are in the body of the report, along with any implications for:

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

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 4294
E-mail: premises.licensing@manchester.gov.uk

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 2018
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

1. **Introduction**

- 1.1 On 20 September 2021, an application was made by Greater Manchester Police under s53A of the Licensing Act 2003 for a Summary Review of the Premises Licence for Cirque Le Soir, St Johns House, 2 Queen Street, Manchester, M2 5JB in the Deansgate ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 Summary reviews can be undertaken when the police consider that the premises concerned are associated with serious crime or serious disorder (or both). The summary review process allows interim conditions to be quickly attached to a licence and for the review of the licence to be fast tracked.
- 1.3 A 10 working-day public consultation exercise is undertaken in accordance with Licensing Act 2003 regulations, requiring the application to be advertised by the displaying of a blue notice at or on the premises and details of the application to be published on the Council's website.
- 1.4 Under section 53C of the Licensing Act 2003, the licensing authority must hold a full review of the premises licence and determine the review within 28 days after the day of receipt of the application.
- 1.5 Following the review under section 53C, the licensing authority must then review the interim steps in place and determine whether it is appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.

2. **The Application**

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 An application for the summary review of premises licence number 162506 under section 53A of the Licensing Act 2003 was submitted by Greater Manchester Police on 20 September 2021. The grounds of the application for review are that in the opinion of a senior police officer the premises are associated with serious crime or serious disorder or both.
- 2.3 **Interim Steps pending the review**
 - 2.3.1 Within 48 hours of receiving a summary review application, under s53B of the Licensing Act 2003 the licensing authority must consider whether it is necessary to take interim steps pending the review of the licence for the promotion of the licensing objectives.
 - 2.3.2 The premises licence holder may make representations against the interim steps taken by the licensing authority. Also under s53B, the licensing authority must within 48 hours of the time of its receipt of the representations, hold a hearing to consider those representations.

- 2.3.3 On the date of the review hearing, the licensing authority is required to review any interim steps that are in place and consider whether it is appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.

3. **Current Premises Licence**

- 3.1 A copy of the current licence is attached at **Appendix 3**.
- 3.2 The premises licence holder is OOTF Ltd and has held the licence since 22 July 2014.
- 3.3 The designated premises supervisor is Leonard Cunningham who has held this position since 28 August 2019.
- 3.4 The licensable activities permitted by the licence are:
- Sale by retail of alcohol
Monday to Sunday 10pm to 5am (for consumption on the premises only)

 - Live music; Recorded music; Performances of dance
Monday to Sunday 10pm to 5am (indoors only)

 - Provision of late night refreshment
Monday to Sunday 11pm to 5am

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 to licensing authorities in relation to the carrying out of their functions under the

2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. 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 There are a number of references in the Policy to the licensing authority's expectations of applicants. The licensing authority will not apply the Policy rigidly, but will always have regard to the merits of the case with a view to promoting the licensing objectives.
- 4.5.4 Relevant to this application, the Panel are recommended to have regard to the following sections of the Policy:

Section 6: What we aim to encourage

This section identifies certain types of venues and initiatives the licensing authority aims to encourage in order to promote an inclusive evening and night-time economy not simply focused on the consumption of alcohol. We aim to encourage:

- Premises that will extend the diversity of entertainment and attract a wider range of participants
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
- National cultural institutions, global sports events and cultural festivals

- Non-drink-led premises, including restaurants, cafes, theatres and cinemas
- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application
- Participation in Pubwatches, off licence forums and other crime-reduction partnerships
- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

Section 7: Local factors

This section sets out key issues that applicants are expected to take into account relevant to the individual characteristics of the premises and address any local factors relevant to their premises.

Having regard to this application, the Panel are recommended to have regard to the following Factors:

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- Proximity of takeaways and licences to nightlife entertainment areas
- Consistency with relevant Council strategies
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance
- Proximity to sensitive uses
- The availability of transport to and from the premises
- Ability to clean and maintain the street scene
- Premises in proximity to the airport

Section 8: Manchester's standards to promote the licensing objectives

This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be appropriate to apply in every situation to every premises. The degree to which standards would be appropriate is expected to be proportionate to the risk posed against the promotion of the licensing objectives having regard to the individual circumstances of the premises. The standards are not exhaustive and the licensing authority will have regard to any relevant issues raised in any representation that may fall outside them.

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS3 Responsible promotion and sale of alcohol
- MS4 Prevent the use of illegal drugs, new psychoactive substances (NPS) and the spiking of drinks at the premises
- MS5 Prevent on-street consumption of alcohol
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS7 Maintain a safe capacity
- MS8 Prevent noise nuisance from the premises

- MS9 Effectively manage exterior spaces (eg beer gardens, smoking areas, table and chair areas on the highway)
- MS10 Operate effective cleansing arrangements, including ensuring the premises and surrounding area are kept clean and free of litter, and adequate arrangements for the secure and responsible storage of refuse
- MS11 Ensure the wellbeing of children on the premises
- MS12 Prevent underage sales of alcohol, including proxy sales

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 reaching the decision, regard must be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 5.3 The Panel must consider what steps are appropriate for the promotion of the licensing objectives.
- 5.4 In making its decision with regard to this interim steps hearing, the steps the Panel can take are:
- a) To modify the conditions of the licence;
 - b) To exclude any of the licensable activities from the licence;
 - c) To remove the designated premises supervisor;
 - d) To suspend the licence
- 5.5 The conditions of the licence, with the exception of mandatory conditions in Appendix 1 of the licence, may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 5.6 All licensing determinations should be considered on the individual merits of the application.
- 5.7 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.
- 5.8 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.
- 5.9 **The Panel is asked to determine what steps, as set out in 5.4 above, are appropriate for the promotion of the licensing objectives.**



Cirque Le Soir
St Johns House, 2 Queen Street, Manchester, M2 5JB

The premises lies within the area marked in red

Premises Licensing
Manchester City Council

© Crown copyright and database rights 2018.
Ordnance Survey100019568.



PREMISE NAME:	Cirque Le Soir
PREMISE ADDRESS:	St Johns House, 2 Queen Street, Manchester, M2 5JB
WARD:	Deansgate
HEARING DATE:	

Greater Manchester
Police
Central Park
Northampton Road
Manchester

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

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

Cirque Le Soir
St Johns House,
2 Queen Street,
Manchester
M2 5JB

Premises licence number (if known): 162506
Name of premises supervisor (if known): Leonard Cunningham
I am a Superintendent [REDACTED] in the Greater Manchester
police force.

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

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns as to the serious nature of the incident which require immediate resolution. Greater Manchester Police believe that serious crime and serious disorder has occurred at the premises.

Greater Manchester Police (GMP) will say that the premises are associated with serious crime and serious disorder. Serious crime is defined within the statutory guidance as per section 81(3)(a) and (b) of the Regulation of Investigatory Powers Act 2000, which states that the conduct constitutes an offence for which a person 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more. Therefore due to the serious crime and serious disorder this has taken place at the premises, GMP feel that it is necessary for an expedited review to take place.

The premises are situated on 2 Queen Street, Manchester City Centre and the premises licence was issued on 22/07/2014. The Premises Licence Holder (PLH) is OOTF LTD and the Designated Premises Supervisor (DPS) is Leonard Cunningham.

During the morning of Sunday 19th September 2021, customers from two separate tables in the VIP area started fighting, Door staff moved the customers into the main bar area where they continued to fight. Bar furniture was thrown by customers and metal barrier poles.

During the melee a customer was knocked unconscious, resulting in the male having to be taken to hospital. Innocent customers and staff can be seen running away in fear from the groups fighting.

Door staff split the two groups up taking one group out of the rear exit, the other group out of the main entrance, where the disorder continued.

Once outside metal barrier poles and rope were continued to used as weapons by both the door staff and customers who were ejected. Two cars that were parked outside were had their windows smashed by 2 males who were ejected.

Door staff can been seen chasing the males towards Deansgate, whilst carrying barrier poles and ropes to be used as weapons, the whole incident lasted over 50 minutes

A Crime report for Section 18 Wounding and a crime for Violent Disorder have been submitted and enquiries are continuing to trace the offenders.

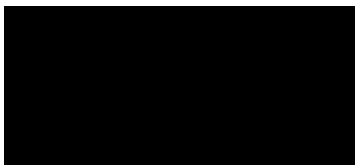
This investigation is in its early stages and there will no doubt be more information uncovered over the coming weeks but what is clear is that serious disorder and serious crimes have occurred at the premise.

The powers under sections 53A to 53C of the 2003 Act, are aimed at tackling serious crime and serious disorder.

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

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

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns in relation to the violence and serious disorder at the premises.



(Signed) (Date) 20.09.21

ANNEX C

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

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

Manchester City Council

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

1. Premises details:

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

**Cirque Le Soir
St Johns House
2, Queen Street**

Post town: Manchester

Post code (if known): **M2 5JB**

2. Premises licence details:

Name of premises licence holder (if known): OOFT Ltd
Number of premises licence holder (if known): 162506

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

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

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

[Please read guidance note 2]

The standard review of the premises licence is inappropriate due to the serious nature of the incident that has occurred. Greater Manchester Police will say that the premises are associated with serious crime and therefore that it is necessary for an expedited review to take place.

The premises is situated on Queen Street , Manchester City Centre Manchester. The premises licence was issued on 22/07/2014. The Premises Licence Holder (PLH) is OOFT Ltd and the Designated Premises Supervisor is Leonard Cunningham.

The premises are situated on 2 Queen Street, Manchester City Centre and the premises licence was issued on 22/07/2014. The Premises Licence Holder (PLH) is OOTF LTD and the Designated Premises Supervisor (DPS) is Leonard Cunningham.

During the morning of Sunday 19th September 2021, customers from two separate tables in the VIP area started fighting, Door staff moved the customers into the main bar area where they continued to fight. Bar furniture was thrown by customers and metal barrier poles.

During the melee a customer was knocked unconscious, resulting in the male having to be taken to hospital. Innocent customers and staff can be seen running away in fear from the groups fighting.

Door staff split the two groups up taking one group out of the rear exit, the other group out of the main entrance, where the disorder continued.

Once outside metal barrier poles and rope were continued to used as weapons by both the door staff and customers who were ejected. Two cars that were parked outside were had their windows smashed by 2 males who were ejected.

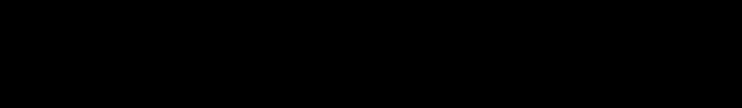
Door staff can be seen chasing the males towards Deansgate, whilst carrying barrier poles and ropes to be used as weapons, the whole incident lasted over 50 minutes

A Crime report for Section 18 Wounding and a crime for Violent Disorder have been submitted and enquiries are continuing to trace the offenders.

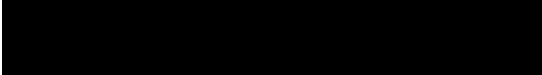
This investigation is in its early stages and there will no doubt be more information uncovered over the coming weeks but what is clear is that serious disorder and serious crimes have occurred at the premise.

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

In the interim Greater Manchester Police would request that the Licensing Authority consider suspension of the Premises Licence until the full review is heard before the committee. Serious Crime has occurred at the premises and until the Licensing Committee hear the full review and all the evidence that will be disclosed, to open the premises gives concerns as to the safety of persons attending the premises and the staff who work there. Greater Manchester Police will say that the licensing objectives of the prevention of crime and disorder and public safety can only be promoted if the premises were to be closed until the final determination of the summary review application.

Signature of applicant: 

Date: 20/09/21

Capacity: Licensing Constable 

Contact details for matters concerning this application:

Address:


Greater Manchester Police

Town Hall Extension

Lloyd Street

Manchester

M2 5DB

Telephone number(s): 

Email: 

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	162506
Granted	22/07/2014
Latest version	Change of Detail Issued 18/08/2020

Part 1 - Premises details

Name and address of premises
Cirque Le Soir St Johns House, 2 Queen Street, Manchester, M2 5JB
Telephone number
0161 834 8562

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

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2200	2200	2200	2200	2200	2200	2200
Finish	0500	0500	0500	0500	0500	0500	0500
The sale of alcohol is licensed for consumption on the premises only.							
Seasonal variations and Non-standard Timings:							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							
On the day British Summer Time commences: One additional hour following the terminal hour.							

Live music; Recorded music; Performances of dance							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2200	2200	2200	2200	2200	2200	2200
Finish	0500	0500	0500	0500	0500	0500	0500
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							
On the day British Summer Time commences: One additional hour following the terminal hour.							

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0500	0500	0500	0500	0500	0500	0500
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
New Year: Start 2300 Finish 0500							
On the day British Summer Time commences: One additional hour following the terminal hour.							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2200	2200	2200	2200	2200	2200	2200
Finish	0600	0600	0600	0600	0600	0600	0600
Seasonal variations and Non-standard Timings:							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							
On the day British Summer Time commences: One additional hour following the terminal hour.							

Part 2

Details of premises licence holder	
Name:	OOTF Ltd
Address:	130 Shaftesbury Avenue, 2nd Floor, London, W1D 5EU
Registered number:	12031622

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	Leonard Cunningham
Address:	REDACTED
Personal Licence number:	05/00098/PERS
Issuing Authority:	Gedling Borough Council

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

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.

Annex 2 – Conditions consistent with the operating schedule

1. Monitoring of patrons entering and leaving the premises shall be in place, to ensure that the maximum capacity is not exceeded.
2. A first aider shall be on the premises at all times.
3. All rubbish produced by the premises shall be stored securely and disposed of.
4. Signage shall be placed in the toilets, hallway and entrance to the premises reminding customers of the need for noise reduction on leaving the premises.
5. All persons under the age of 18 shall not be permitted on the premises.

Annex 3 – Conditions attached after hearing by the licensing authority

1. Any area where customers have legitimate access shall be sufficiently illuminated for the purposes of CCTV. CCTV shall be operation at any time a person is in the premises.

- (i.) All CCTV recorded images shall have sufficient clarity/quality/definition to enable facial recognition. CCTV shall be kept in an unedited format for a minimum period of 28 days.
 - (ii.) CCTV shall be maintained on a regular basis and kept in good working order at all times. CCTV maintenance records shall be kept with details of contractor used and work carried out to be recorded.
 - (iii.) Where CCTV is recorded on to a hard drive system any DVDs subsequently produced shall be in a format so it can be played back on a standard personal computer or standard DVD player. Where CCTV is recorded on to a hard drive system, the hard drive system shall have a minimum of 28 day roll over recording period.
 - (iv.) Any person left in charge of the premises shall be trained in the use of any such CCTV equipment and able to produce/download/burn CCTV images upon request by a person from a responsible authority. Plans indicating the position of CCTV cameras shall be submitted to the responsible bodies within one week of the granting of a licence requiring CCTV. 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. When the premises operates after midnight then SIA registered door staff shall be employed at the premises on the ratio of 1:100 from opening until 30 minutes after the premises closes to ensure persons arriving and leaving do so without causing incidents of disorder or public nuisance. On all other days the need for door staff shall be risk assessed by the Designated Premises Supervisor and employed when the risk assessment deems it necessary or when informed by Greater Manchester Police of the need for door staff. When employed at the premises door staff shall wear Hi Viz clothing both inside and outside the premises.
 3. The Challenge 25 policy shall be implemented in full and appropriate identification shall be sought from any person who appears under the age of 25. The only acceptable forms of identification shall be passport, photo driving licence and those carrying the PASS logo.
 4. Staff training shall include the Challenge 25 policy and its operation. In particular staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18.
 5. The training shall be given to a new member of staff before they commence paid employment and all staff shall be retrained quarterly. Training shall also include drugs and drunkenness.
 6. An incident book shall be implemented and open to inspection by an authorised officer from GMP or Manchester City Council.
 7. Upon notice given by the City Centre Licensing Unit of Greater Manchester Police the premises shall agree not to sell alcohol for an agreed specified period when high profile events are being held in or around the City Centre of Manchester.
 8. Noise from music shall be controlled to a level that does not cause nuisance.
 9. A member of staff shall monitor customers smoking outside the premises on a regular basis and ensure noise is kept to a minimum so as not to cause nuisance.
 10. The location of the smoking area shall be at the front of the premises on Queen Street.
 11. By way of a dispersal policy the management shall:
 - (i.) Provide local taxi numbers to be displayed inside the premises. These shall have a ring back facility.
 - (ii.) Reduce the volume of the music during the wind-down period.
 - (iii.) Request that the door supervisors use their best endeavours to remind patrons to leave in a quiet and orderly manner.
 12. An ID Clubscan or equivalent (to the same standard) shall be in operation at the premises. All customers' identification documents shall be checked via the system before being allowed access to the premises. Any person refusing to comply shall be refused access to the premises.

- 13.
- i. With the exception of the V.I.P area as marked on the plans, all drinking vessels use in the venue shall be Polycarbonate.
 - ii. All drinks in glass bottles are to be decanted into Polycarbonate containers or Polycarbonate carafes prior to being served, with the exception of any bottles of 70cl or above which are to be secured to the table or dispensed only by a member of staff. Staff shall clear all empty bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such bottle or drink directly from the bottle. There shall be a member of staff in the VIP area at all times customers are present in the VIP area.
 - iii. Notwithstanding (a) and (b) above, with the written agreement of GMP, a copy of which shall be held at the premises reception, glass drinking vessels may be used for private or pre-booked events within the premises.
14. Only door staff from an ACS accredited company shall be employed at the premises.
15. A dress policy, which must be agreed with GMP, shall be implemented at the premises. Any person who is dressed in a manner which falls outside the policy shall be refused entry.
16. A Nitenet radio shall be carried by a member of door staff at all times whilst the premises are open.
17. There shall be an annual training day for staff which reviews the licensing law and Premises Licence Conditions. The date is to be notified to GMP.
18. All SIA registered staff working at the premises shall wear high visibility vest/tabard/armband/recognised uniform whilst the premises is in operation so they can be readily identified.
19. SIA registered staff working at the front entrance of the premises (to include id clubscan operator and cashier) shall wear and utilise body worn cameras whilst the premises is in operation.
20. There shall be a minimum of 1 SIA registered door staff stationed at each of the entrances to the VIP area.
21. Training files for all staff shall be retained and held by management on the premises and shall be available for inspection upon request by an authorised officer.
22. Training of all staff shall ensure the premises operates in line with the company operating procedures.
23. There shall be a metal detecting search arch, comprising of a fixed structure at the entrance which must be passed through, installed at the premises and operated at such times as agreed with the GMP. Every patron entering the premises to use the licensing facilities shall pass through the metal detecting search arch unless otherwise agreed with GMP. Any customers who refuse to pass through the metal detecting search arch will not be allowed entry to the premises.
24. There shall be a dedicated search captain employed at the premises to supervise the searching of customers at all times when the premises are open.

Annex 4 – Plans

See attached plan number LXA-1399-102.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

**Manchester City Council
Report for Resolution**

Report to: Licensing Sub-Committee Hearing Panel – 22 September 2021

Subject: History, Deansgate Court, 244 Deansgate, Manchester, M3 4BQ –
(App ref: LPU263973)

Report of: Head of Planning, Building Control & Licensing

Summary

Interim Steps hearing for Summary Review of the premises licence under s53C of the Licensing Act 2003

Recommendations

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

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

The conditions of the licence are modified if any of them is altered or omitted or any new condition is added. Modification of the conditions of the premises licence can include altering or modifying existing conditions or adding any new conditions, including those that restrict the times at which licensable activities authorised by the licence can take place. Where the Sub-Committee consider that none of the above steps are appropriate for the promotion of the licensing objectives, no action should be taken in respect of the licence.

Wards Affected: Deansgate

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	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	

Full details are in the body of the report, along with any implications for:

Equal Opportunities Policy
Risk Management
Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

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

Name: Ashia Maqsood
Position: Technical Licensing Officer
E-mail: premises.licensing@manchester.gov.uk

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 2018
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

1. **Introduction**

- 1.1 On 20 September 2021, an application was made by Greater Manchester Police under s53A of the Licensing Act 2003 for a Summary Review of the Premises Licence for History, Deansgate Court, 244 Deansgate, Manchester, M3 4BQ in the Deansgate ward of Manchester. A location map and photograph of the premises is attached at **Appendix 1**.
- 1.2 Summary reviews can be undertaken when the police consider that the premises concerned are associated with serious crime or serious disorder (or both). The summary review process allows interim conditions to be quickly attached to a licence and for the review of the licence to be fast tracked.
- 1.3 A 10 working-day public consultation exercise is undertaken in accordance with Licensing Act 2003 regulations, requiring the application to be advertised by the displaying of a blue notice at or on the premises and details of the application to be published on the Council's website.
- 1.4 Under section 53C of the Licensing Act 2003, the licensing authority must hold a full review of the premises licence and determine the review within 28 days after the day of receipt of the application.
- 1.5 Following the review under section 53C, the licensing authority must then review the interim steps in place and determine whether it is appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.

2. **The Application**

- 2.1 A copy of the application is attached at **Appendix 2**.
- 2.2 An application for the summary review of premises licence number 050572 under section 53A of the Licensing Act 2003 was submitted by Greater Manchester Police on 20 September 2021. The grounds of the application for review are that in the opinion of a senior police officer the premises are associated with serious crime or serious disorder or both.
- 2.3 **Interim Steps pending the review**
- 2.3.1 Within 48 hours of receiving a summary review application, under s53B of the Licensing Act 2003 the licensing authority must consider whether it is necessary to take interim steps pending the review of the licence for the promotion of the licensing objectives.
- 2.3.2 The premises licence holder may make representations against the interim steps taken by the licensing authority. Also under s53B, the licensing authority must within 48 hours of the time of its receipt of the representations, hold a hearing to consider those representations.
- 2.3.3 On the date of the review hearing, the licensing authority is required to review any interim steps that are in place and consider whether it is appropriate for

the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.

3. Current Premises Licence

- 3.1 A copy of the current licence is attached at **Appendix 3**.
- 3.2 A copy of the current policies are attached at **Appendix 4**
- 3.3 The premises licence holder is Laila Leisure Ltd and has held the licence since 07/03/2017
- 3.4 The designated premises supervisor is Frankie Fabowale who has held this position since 26/04/2017
- 3.5 The licensable activities permitted by the licence are:

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0600	0600	0600	0600	0600	0600	0600
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non-standard Timings:							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							

Live music; Recorded music; Performances of dance; Anything similar to live music, recorded music or the performance of dance							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0600	0600	0600	0600	0600	0600	0600
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0500	0500	0500	0500	0500	0500	0500
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
None							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0630	0630	0630	0630	0630	0630	0630
Seasonal variations and Non-standard Timings:							
None							

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 to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. 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 There are a number of references in the Policy to the licensing authority's expectations of applicants. The licensing authority will not apply the Policy rigidly, but will always have regard to the merits of the case with a view to promoting the licensing objectives.
- 4.5.4 Relevant to this application, the Panel are recommended to have regard to the following sections of the Policy:

Section 6: What we aim to encourage

This section identifies certain types of venues and initiatives the licensing authority aims to encourage in order to promote an inclusive evening and night-time economy not simply focused on the consumption of alcohol. We aim to encourage:

- Premises that will extend the diversity of entertainment and attract a wider range of participants
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
- National cultural institutions, global sports events and cultural festivals
- Non-drink-led premises, including restaurants, cafes, theatres and cinemas
- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application
- Participation in Pubwatches, off licence forums and other crime-reduction partnerships
- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

Section 7: Local factors

This section sets out key issues that applicants are expected to take into account relevant to the individual characteristics of the premises and address any local factors relevant to their premises.

Having regard to this application, the Panel are recommended to have regard to the following factors:

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- Consistency with relevant Council strategies

Section 8: Manchester's standards to promote the licensing objectives

This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be appropriate to apply in every situation to every premises. The degree to which standards would be appropriate is expected to be proportionate to the risk posed against the promotion of the licensing objectives having regard to the individual circumstances of the premises. The standards are not exhaustive and the licensing authority will have regard to any relevant issues raised in any representation that may fall outside them.

- MS1 Implement effective security measures at the premises
- MS2 Effective general management of the premises
- MS6 Provide a Duty of Care for intoxicated or vulnerable customers and medical emergencies
- MS7 Maintain a safe capacity

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 reaching the decision, regard must be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 5.3 The Panel must consider what steps are appropriate for the promotion of the licensing objectives.
- 5.4 In making its decision with regard to this interim steps hearing, the steps the Panel can take are:
- a) To modify the conditions of the licence;
 - b) To exclude any of the licensable activities from the licence;
 - c) To remove the designated premises supervisor;
 - d) To suspend the licence
- 5.5 The conditions of the licence, with the exception of mandatory conditions in Appendix 1 of the licence, may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 5.6 All licensing determinations should be considered on the individual merits of the application.
- 5.7 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.

- 5.8 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.
- 5.9 **The Panel is asked to determine what steps, as set out in 5.4 above, are appropriate for the promotion of the licensing objectives.**

This page is intentionally left blank



PREMISE NAME:	History
PREMISE ADDRESS:	Deansgate Court, 244 Deansgate, Manchester, M3 4BQ
WARD:	Deansgate
HEARING DATE:	22/09/2021

This page is intentionally left blank

ANNEX B

Greater Manchester Police
Central Park
Northampton Road
Manchester

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

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

*Premises*²:
History
Longworth St
Manchester
M3 4BQ

Premises licence number (if known): 050572

Name of premises supervisor (if known): Frankie Fabowale

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

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

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns as to the serious nature of the incident which require immediate resolution. Greater Manchester Police believe that serious crime and serious disorder has occurred at the premises.

Greater Manchester Police (GMP) will say that the premises are associated with

¹ Delete as applicable.

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

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

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

serious crime and serious disorder. Serious crime is defined within the statutory guidance as per section 81(3)(a) and (b) of the Regulation of Investigatory Powers Act 2000, which states that the conduct constitutes an offence for which a person 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more. Therefore due to the serious crime and serious disorder which has taken place at the premises GMP feel that it is necessary for an expedited review to take place.

The premises are situated on Longworth Street in the City Centre of Manchester and the premises licence was issued on 02/09/2005. The Premises Licence Holder (PLH) is Laila Leisure Ltd and the Designated Premises Supervisor (DPS) is Frankie Fabowale who has held this position since April 2017.

During the early hours of Sunday 12th September 2021 a male customer was ejected from the premises for disorderly behaviour inside. Shortly after being ejected by security staff the same male has returned to the queue outside the premises and engaged in a further altercation with doorstaff. During this altercation the male offender has stabbed a member of doorstaff in the back. The male was detained by doorstaff and subsequently arrested. A wounding with intent to cause grievous bodily harm crime has been recorded and is currently being investigated.

At approximately 0100hrs on Sunday 19th September 2021 approximately 100 persons who had been queueing on Longworth Street to gain entry to the premises broke through the barriers which were not adequately supervised by doorstaff and 'rushed' the main entrance to the premises. The majority of these persons gained entry to the nightclub upstairs. Security staff required the assistance of police officers to remove the majority of these persons from inside the premises. There were 8 members of doorstaff on duty at this time. A review of CCTV footage highlights that this was not sufficient numbers of staff to suitably control entry of persons into the premises. A number of the doorstaff were not wearing high visibility outer wear nor can SIA licences be seen to be on display for all security staff.

At approximately 0400hrs the same day disorder broke out in the premises. Doorstaff intervened and a number of persons are ejected from the premises. Two males ejected were suspected to be in possession of knives. The males were searched by police and were both found in possession of a knife. Both males were subsequently arrested for possession of an offensive weapon. During the disorder a male customer is in possession of a bottle of spirits that had been removed from its secure fastening to the table. Another male brandishes a metal barrier pole in the middle of the club before it is removed from him by staff.

A crime for violent disorder has been recorded by officers attending the scene inside History who witnessed fighting between customers and doorstaff. Officers attending the scene felt that the management and security at the premises had lost proper control of the venue at this stage. At this stage all of the available police resources for the City Centre were in attendance at the venue. Officers were met with aggression and violence outside the venue as they attempted to clear the area of people in attendance.

The powers under sections 53A to 53C of the 2003 Act, are aimed at tackling serious crime and serious disorder, in particular the use of knives.

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

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

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns in relation to the violence and serious disorder at the premises.

Zac Fraser 20th September 2021



(Signed)

20.09.21

(Date)

ANNEX C

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

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

Manchester City Council

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

1. Premises details:

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

History
Longworth St

Post town: Manchester

Post code (if known): **M3 4BQ**

2. Premises licence details:

Name of premises licence holder (if known): Laila Leisure Ltd

Number of premises licence holder (if known): 050572

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

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

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

[Please read guidance note 2]

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns as to the serious nature of the incident which require immediate resolution. Greater Manchester Police believe that serious crime and serious disorder has occurred at the premises.

Greater Manchester Police (GMP) will say that the premises are associated with serious crime and serious disorder. Serious crime is defined within the statutory guidance as per section 81(3)(a) and (b) of the Regulation of Investigatory Powers Act 2000, which states that the conduct constitutes an offence for which a person 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more. Therefore due to the serious crime and serious disorder which has taken place at the premises GMP feel that it is necessary for an expedited review to take place.

The premises are situated on Longworth Street in the City Centre of Manchester and the premises licence was issued on 02/09/2005. The Premises Licence Holder (PLH) is Laila Leisure Ltd and the Designated Premises Supervisor (DPS) is Frankie Fabowale who has held this position since April 2017.

During the early hours of Sunday 12th September 2021 a male customer was ejected from the premises for disorderly behaviour inside. Shortly after being ejected by security staff the same male has returned to the queue outside the premises and engaged in a further altercation with doorstaff. During this altercation the male offender has stabbed a member of doorstaff in the back. The male was detained by doorstaff and subsequently arrested. A wounding with intent to cause grievous bodily harm crime has been recorded and is currently being investigated.

At approximately 0100hrs on Sunday 19th September 2021 approximately 100 persons who had been queueing on Longworth Street to gain entry to the premises broke through the barriers which were not adequately supervised by doorstaff and 'rushed' the main entrance to the premises. The majority of these persons gained entry to the nightclub upstairs. Security staff required the assistance of police officers to remove the majority of these persons from inside the premises. There were 8 members of doorstaff on duty at this time. A review of CCTV footage highlights that this was not sufficient numbers of staff to suitably control entry of persons into the premises. A number of the doorstaff were not wearing high visibility outer wear nor can SIA licences be seen to be on display for all security staff.

At approximately 0400hrs the same day disorder broke out in the premises. Doorstaff intervened and a number of persons are ejected from the premises. Two males ejected were suspected to be in possession of knives. The males were searched by police and were both found in possession of a knife. Both males were subsequently arrested for possession of an offensive weapon. During the disorder a male customer is in possession of a bottle of spirits that had been removed from its secure fastening to the table. Another male brandishes a metal barrier pole in the middle of the club before it is removed from him by staff.

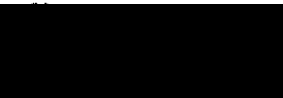
A crime for violent disorder has been recorded by officers attending the scene inside History who witnessed fighting between customers and doorstaff. Officers attending the scene felt that the management and security at the premises had lost proper control of the venue at this stage. At this stage all of the available police resources for the City Centre were in attendance at the venue. Officers were met with aggression and violence outside the venue as they attempted to clear the area of people in attendance.

The powers under sections 53A to 53C of the 2003 Act, are aimed at tackling serious crime and serious disorder, in particular the use of knives.

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

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

The standard review of the premises licence under section 51 Licensing Act 2003 is inappropriate due to length of time a standard review would take, there are serious concerns in relation to the violence and serious disorder at the premises.

Signature of applicant: 
Date: 20/09/21
Capacity: Licensing Constable

Contact details for matters concerning this application:

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

Telephone number(s): [REDACTED]

Email: [REDACTED]

Notes for guidance:

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

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

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

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

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

This page is intentionally left blank



MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	050572
Granted	02/09/2005
Latest version	Variation 197747 (granted 17/05/2017)

Part 1 - Premises details

Name and address of premises
History Deansgate Court, 244 Deansgate, Manchester, M3 4BP
Telephone number

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

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0600	0600	0600	0600	0600	0600	0600
The sale of alcohol is licensed for consumption both on and off the premises.							
Seasonal variations and Non-standard Timings:							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							

Live music; Recorded music; Performances of dance; Anything similar to live music, recorded music or the performance of dance							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0600	0600	0600	0600	0600	0600	0600
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0500	0500	0500	0500	0500	0500	0500
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
None							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0630	0630	0630	0630	0630	0630	0630
Seasonal variations and Non-standard Timings:							
None							

Part 2

Details of premises licence holder	
Name:	Laila Leisure Ltd
Address:	Basement, 23 Peter Street, Manchester, M2 5QJ
Registered number:	10595356

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	Frankie Fabowale
Issuing Authority:	Manchester City Council

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

supply of alcohol at the premises is carried on in accordance with the age verification policy.

- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
- (a) a holographic mark, or
 - (b) an ultraviolet feature.

5. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
- (2) For the purposes of the condition set out in (1) above–
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “permitted price” is the price found by applying the formula–

$$P = D + (D \times V)$$

where –

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or

supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
8. The responsible person must ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

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

Annex 2 – Conditions consistent with the operating schedule

1. The safe maximum number of persons allowed to be present in the premises shall be risk assessed by the Premises Licence Holder and a copy of the Risk Assessment shall be available to the Responsible Authorities upon request. Overcrowding in such a manner as to endanger the safety of the persons present or to cause undue interference with their comfort shall not be allowed in any part of the premises. No persons other than official stewards or other staff on duty at the premises shall be permitted to stand in any passage, gangway or staircase leading to an exit from the premises so as to obstruct means of egress.
2. There shall be an installation of strategically located closed circuit TV cameras recording 24 hours daily inside and outside the premises to deter and monitor any illegal activity. Recorded images shall be retained for 31 days and shall be available to Greater Manchester Police upon request.
3. The CCTV system shall be in operation any time a person is in the premises. Where CCTV is recorded onto a hard drive system any DVD subsequently produced will be in a format so it can be played back on a standard PC or DVD player. Any person left in charge of the premises shall be trained in the use of any such CCTV equipment and be able to produce CCTV images to an Officer from a Responsible Authority upon request.

4. Effective lighting shall be maintained and operated on all internal and external aspects of the premises. In addition Management shall ensure that the level of external illumination shall be improved prior to the opening of the premises. The lighting level shall be maintained thereafter with regular documented service checks.
5. All staff and management shall be provided with adequate and suitable training to enable them to deal with incidents of disorder within the premises.
6. All staff and management shall be provided with training in alcohol awareness and such training shall be documented.
7. Management and staff shall be trained to identify customers who may be suffering adversely from the effects of excessive alcohol.
8. Management and staff shall be provided with adequate and suitable training in the legislation regarding the selling of alcohol to persons under the age of 18 years and shall be vigilant to ensure compliance.
9. The management shall conduct an ongoing risk assessment in relation to the search policy operated at the premises and if necessary an effective search policy shall be implemented to ensure that drugs and offensive weapons are not brought onto the premises by patrons.
10. Management of the premises shall subscribe to Night Net.
11. Known offenders or drug dealers shall not be permitted on the licensed premises. Information regarding known offenders / drug dealers shall be shared with the Crime Reduction Officer and City Centre Safe Team within a reasonable period of time.
12. Any person found using drugs shall be removed from the premises. Any person found to be dealing drugs shall be detained and the police informed immediately. Drugs seized shall be handed over to the police.
13. Management and staff shall ensure that the premises and the area immediately surrounding the exterior of the premises are cleaned on a regular basis and remain free from debris and litter.
14. Management shall ensure adequate supervision of customers and make regular glass collections when required.
15. Only polycarbonate containers shall be used on any night targeted at students.
16. Public liability insurance shall be maintained for the premises.
17. Staff shall be trained in first aid and emergency procedures. All training and incidents shall be recorded in writing.
18. A safety plan shall be implemented and shall include fire safety and maintenance inspections.
19. Firefighting equipment shall be maintained and serviced according to the manufacturer's instructions.
20. Emergency exits shall remain unlocked and free from obstruction both inside and outside at all times.
21. An evacuation procedure which includes emergency exit from the premises by disabled customers shall be implemented at the premises and all staff shall be fully briefed in the procedure.
22. Management shall ensure that staff keep an eye out for undesirable activities and that Managers take the appropriate action where discovered.
23. Management and staff shall make regular checks to ensure the toilets are well maintained and clear of all spillages.
24. Refuse shall be regularly removed from the premises in a manner so as not to cause unreasonable disturbance to local residents.
25. Refuse shall not be emptied into external receptacles, or waste collected from the premises between 2300 and 0700.
26. The licence holder shall ensure that an adequate number of secure facilities for the disposal of glass containers is provided within the premises.
27. Management and staff shall ensure that glasses are collected regularly; tables are cleared and cleaned regularly throughout the premises.

28. Any spirit, champagne or wine bottles served shall be secured to a table/ice bucket or held within a cradle.
29. Waiting staff shall be employed to serve drinks to tables at the premises.
30. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
31. The management shall ensure that all windows on the premises remain closed whenever regulated entertainment consisting of amplified music is being played.
32. Persons under the age of 18 shall not be allowed entry to the premises.
33. Anyone who appears to be under 18 must produce ID which must be photographic proof of age such as a proof of age card, passport photo card, driving licence or citizen card. This shall be achieved by implementation of a Challenge 21 Policy.
34. Prominent, clear and legible notices shall be displayed throughout the premises advising customers on the laws relating to children and alcohol and the purchasing of alcohol on behalf of children.
35. Door staff shall wear some form of high visibility outer wear.
36. Door supervisors shall be employed to such a number as the management of the premises consider sufficient to control entry of persons to the premises and to keep order on the premises when they are used for a licensed activity.
37. A written record shall be kept on the premises by the Designated Premises Supervisor of all door supervisors employed and a register kept for that purpose. That record shall contain the following details:
 - The door supervisor's name, date of birth and home address
 - His/her Security Industry Authority number
 - The time and date he/she starts and finishes duty
 - The door supervisor must sign each entry
38. The licence holder and/or a member of staff shall attend at least 6 local club and pub watch meetings annually.
39. No persons shall be permitted entry to the premises after 0400.

QUEUE MANAGEMENT POLICY

40. Door supervisors shall monitor any queuing for entry to the premises and ensure so far as is possible that any noise emanating from queuing patrons is kept to a minimum.
41. At least one CCTV camera shall be positioned at the entrance to the premises to capture images of all customers entering or leaving.
42. Any person who tries to gain entry to the premises and appears intoxicated or who is involved in disorderly conduct shall be denied access to the premises.

DISPERSAL POLICY

43. Music - consideration shall be given to the volume levels, type of music played coupled with the usage of lighting levels designed to encourage the gradual dispersal of patrons during the last part of the evening.
44. Door personnel, and management staff, shall be employed outside the premises and shall assist with the orderly and gradual dispersal of patrons.
45. Staff Members (including door personnel) shall advise patrons to leave the premises quickly and quietly out of respect for our neighbours.
46. In order to assist in the orderly dispersal of customers towards the end of the evening, two door supervisors' shall be positioned at the junction of Longworth Street and St John Street to ensure dispersal towards Deansgate. The door supervisors' shall be in position for at least 30 minutes before and 30 minutes after the premises close. The door supervisors' shall wear high visibility clothing and shall have Nitnet radio system in their possession at all times. The door supervisors' are to remain in position until both Longworth Street and St John Street are clear of patrons of the premises.
47. Notices shall be displayed requesting our customers to leave quietly and in an orderly manner out of consideration to neighbours and their attention shall be drawn to these notices by members of staff

(including door personnel).

48. We shall ensure the removal of all bottles and drinking receptacles from any patron before exiting the premises.
49. Management and staff shall actively discourage our customers from assembling outside the premises at the end of the evening.
50. Management and staff shall come to an arrangement with a private hire taxi company whose telephone number shall be provided to customers to use on the basis that such company shall operate a ring back system and not sound horns when collecting their fare. Any patrons awaiting the arrival of a taxi shall be encouraged to wait inside the premises.
51. Customers shall be directed towards taxis which shall not be permitted to collect their fare on Longhurst Street and shall be directed to St Johns Street. There shall be adequate number of door supervision to ensure the safe monitoring and escorting of customers to taxis between the club entrance and St Johns Street.
52. Consideration shall be given to staff departures. Staff shall be instructed to leave the premises quietly and to request that any waiting taxis do not leave their engines running or sound their horns whilst waiting.

SMOKING POLICY

53. A delineated smoking area shall be provided for those patrons of the premises who wish to smoke.
54. The smoking area shall be in range of the CCTV system.
55. Management shall ensure that a nominated member of staff shall supervise the area after 0000.
56. Suitable receptacles shall be provided and maintained for the disposal of cigarette litter within the area.
57. Signs shall be displayed within the smoking area requesting customers keep noise to a minimum.
58. Patrons who disregard signage and/or verbal instructions may not be readmitted to the premises and may be barred from the premises in future.

Annex 3 – Conditions attached after hearing by the licensing authority

1. Windows and doors (except for the ground floor door) shall be closed while regulated entertainment is taking place save for access and egress.
2. Regular external checks shall be made while regulated entertainment is taking place to ensure that nuisance is not caused to nearby residential properties.
3. All associated external equipment and plant shall be operated so as to not cause a nuisance to nearby noise sensitive properties.
4. IDSCAN system shall be introduced at the premises.

Annex 4 – Plans

See attached

This page is intentionally left blank

QUEUE MANAGEMENT POLICY

1. Door supervisors shall monitor any queuing for entry to the premises and ensure so far as is possible that any noise emanating from queuing patrons is kept to a minimum.
2. At least one CCTV camera shall be positioned at the entrance to the premises to capture images of all customers entering or leaving.
3. Any person who tries to gain entry to the premises and appears intoxicated or who is involved in disorderly conduct shall be denied access to the premises.
4. With regard to the VIP patrons a section of the entrance shall be dedicated to such a purpose.

DISPERSAL POLICY

5. Music - consideration shall be given to the volume levels, type of music played coupled with the usage of lighting levels designed to encourage the gradual dispersal of patrons during the last part of the evening.
6. Door personnel, and management staff, shall be employed outside the premises and shall assist with the orderly and gradual dispersal of patrons.
7. Staff Members (including door personnel) shall advise patrons to leave the premises quickly and quietly out of respect for our neighbours.
8. In order to assist in the orderly dispersal of customers towards the end of the evening, two door supervisors' shall be positioned at the junction of Longworth Street and St John Street to ensure dispersal towards Deansgate. The door supervisors' shall be in position for at least 30 minutes before and 30 minutes after the premises close. The door supervisors' shall wear high visibility clothing and shall have Nitnet radio system in their possession at all times. The door supervisors' are to remain in position until both Longworth Street and St John Street are clear of patrons of the premises.
9. Notices shall be displayed requesting our customers to leave quietly and in an orderly manner out of consideration to neighbours and their attention shall be drawn to these notices by members of staff (including door personnel).
10. We shall ensure the removal of all bottles and drinking receptacles from any patron before exiting the premises.
11. Management and staff shall actively discourage our customers from assembling outside the premises at the end of the evening.
12. Management and staff shall come to an arrangement with a private hire taxi company whose telephone number shall be provided to customers to use on the basis that such company shall operate a ring back system and not sound horns when collecting their fare. Any patrons awaiting the arrival of a taxi shall be encouraged to wait inside the premises.
13. Customers shall be directed towards taxis which shall not be permitted to collect their fare on Longhurst Street and shall be directed to St Johns Street. There shall be adequate number of door supervision to ensure the safe monitoring and escorting of customers to taxis between the club entrance and St Johns Street.
14. Consideration shall be given to staff departures. Staff shall be instructed to leave the premises quietly and to request that any waiting taxis do not leave their engines running or sound their horns whilst waiting.

SMOKING POLICY

15. A delineated smoking area shall be provided for those patrons of the premises who wish to smoke.
16. The smoking area shall be in range of the CCTV system.
17. Management shall ensure that a nominated member of staff shall supervise the area after 0000.

18. Suitable receptacles shall be provided and maintained for the disposal of cigarette litter within the area.
19. Signs shall be displayed within the smoking area requesting customers keep noise to a minimum.
20. Patrons who disregard signage and/or verbal instructions may not be readmitted to the premises and may be barred from the premises in future

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank