



Licensing Sub Committee Hearing Panel

Date: Thursday, 27 September 2018

Time: 10.00 am

Venue: Room 132, Level 1, Town Hall, Manchester

Everyone is welcome to attend this committee meeting.

Access to the Town Hall

Public access to the Town Hall is via the access ramp next to the Lloyd Street entrance. Members of the public should report to the reception desk.

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Ludford (Chair), Jeavons and McHale

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.

Items for which decisions will be made by the Committee under powers delegated to it under the Council Constitution:-

**4. Application for a Review of a Premises Licence for Pearl City Restaurant, 33 George Street, Manchester, M1 4HQ
Piccadilly Ward**

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Information about the Committee

The Licensing and Appeals Committee fulfills the functions of the Licensing Authority in relation to the licensing of taxi drivers.

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:

Beth Morgan
Tel: 0161 234 3043
Email: b.morgan@manchester.gov.uk

This agenda was issued on **Wednesday, 19 September 2018** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 6, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA



MANCHESTER
CITY COUNCIL

Licensing Act 2003 (Hearings) Regulations 2005

Reference: 216876
Name: Pearl City Restaurant
Address: 33 George Street, Manchester, M1 4HQ
Ward: Deansgate

<p>Hearing Date: 27/09/2018</p>
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Application Type: Review of Premises Licence or Club Premises Certificate
Name of Applicant: Home Office Immigration Enforcement
Date of application: 03/08/2018

Summary of application

<p>Premises licence number 051108 is to be reviewed following an application by Home Office Immigration Enforcement. The grounds for reviewing the licence are the prevention of crime and disorder</p>

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Considerations

In determining the application, the Sub-Committee must give appropriate weight to:

- a) the steps that are appropriate to promote the licensing objective(s);
- b) the representations (including supporting information) presented by all the parties;

In determining the application, the Sub-Committee must also have regard to:

- c) the s182 Guidance to the Licensing Act 2003 by the Home Secretary;
- d) Manchester City Council's Statement of Licensing Policy
- e) The Licensing Act 2003 and the regulations made there under
- f) Licensing Objectives

Reasons should be given for any departure from c and d above.

Review of a premises licence

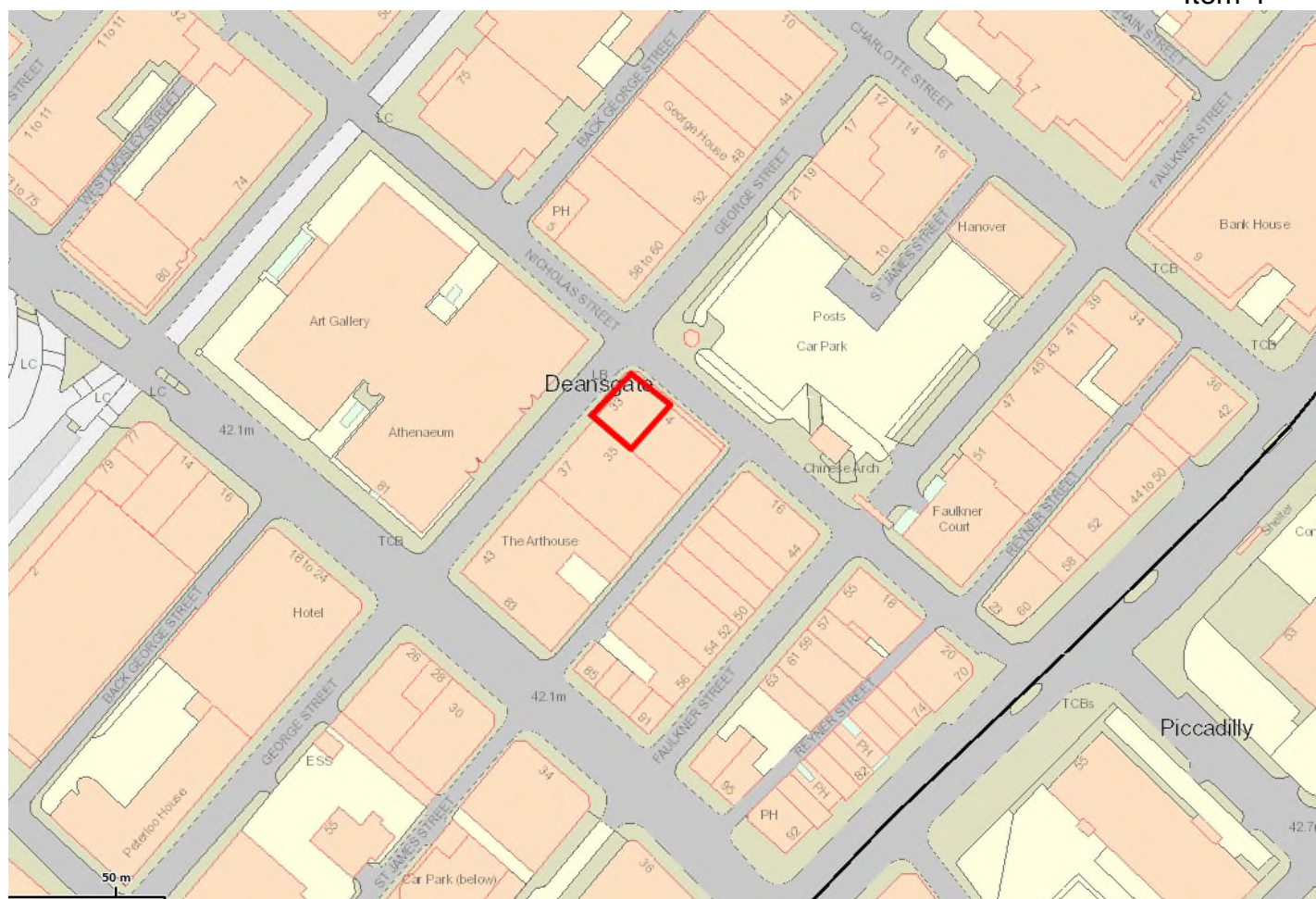
The Sub-Committee must take such of the steps under section 52(4) of the Licensing Act 2003 (if any), that it considers appropriate for the promotion of the licensing objectives. The steps are:

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 for a period not exceeding three months;
5. To revoke 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 take a step mentioned in (1) or (2) above, it may provide that the modification or exclusion only has effect for a limited period (not exceeding three months).

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.



Pearl City Restaurant
33 George Street, Manchester, M1 4HQ

Premises Licensing
Manchester City Council

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Ordnance Survey 100019568.



PREMISE NAME:	Pearl City Restaurant
PREMISE ADDRESS:	33 George Street, Manchester, M1 4HQ
WARD:	Deansgate
HEARING DATE:	27/09/2018

Licensing Authority: Manchester City Council
Reference: AL11945

**Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003**

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 this 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. You may wish to keep a copy of the completed form for your records.

I Home Office Immigration Enforcement

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Pearl City Restaurant 33 George Street	
Post town Manchester	Post code (if known) M1 4HQ

Name of premises licence holder or club holding club premises certificate (if known) Mr Koon Yau Lee
--

Number of premises licence or club premises certificate (if known)

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

2) a responsible authority (please complete (C) below)

☒

3) a member of the club to which this application relates

☐

(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Home Office Immigration Enforcement Alcohol Licensing Team Lunar House 40 Wellesley Road Croydon CR9 2BY
Telephone number (if any)
E-mail address (optional) Alcohol@homeoffice.gsi.gov.uk

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input checked="checked" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)

We have grounds to believe the license holder will fail to meet the licensing objectives of prevention of crime and disorder, as illegal working has been identified at this premises.

Section 36 and Schedule 4 of the Immigration Act 2016 (the 2016 Act) amended the Licensing Act 2003 (the 2003 Act) to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 6 April 2017. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late night refreshment.

The Home Secretary (in practice Home Office (Immigration Enforcement)) was added to the list of Responsible Authorities (RA) in the licensing regime, which requires Home Office (Immigration Enforcement) to receive premises licence applications (except regulated entertainment only licences and applications to vary a Designated Premises Supervisor (DPS)), and in some limited circumstances personal licence applications. In carrying out the role of responsible authority, Home Office (Immigration Enforcement) is permitted to make relevant representations and objections to the grant of a licence or request a review of an existing licence as a responsible authority where there is concern that a licence and related licensable activity is prejudicial to the prevention of immigration crime including illegal working.

Please provide as much information as possible to support the application (please read guidance note 3)

Pearl City Restaurant has a history of non-compliance with immigration laws.

Following intelligence that they were employing illegal workers, an enforcement visit was conducted to Pearl City on 19/1/2018.

This is a large premises over five floors. During this visit a female ran out onto the external fire escape to avoid detection. Later two males were seen attempting to leave the building via the fire escape from the top floor. Within the building staff were using an internal lift to move between floors in order to avoid Immigration Officers.

This visit resulted in 10 Immigration Offenders being arrested with 9 detained and 1 Illegal Worker being escorted off the premises.

A Referral Notice was served resulting in a Civil Penalty for £90,000 being issued for employing illegal workers. As of 21/6/2018 this has not been paid.

In order to search for travel documents for the people detained, a house search was conducted to the staff house used by employees at Pearl City; 81 Heald Place, M14 4AQ. As officers knocked at the front door, a male came to answer the door, saw the Immigration Officers and ran out of the back with another male. They were not apprehended.

Due to this adverse reaction to Immigration Officers presence a search warrant was obtained from Manchester Magistrates Court and an enforcement visit was conducted to 81 Heald Place, M14 4AQ on 18/2/2018. 2 males again attempted to run out of the rear and were arrested as Immigration Offenders.

On 13/4/2018 another enforcement visit was conducted to Pearl City. On this visit, a female attempted to leave the premises as Immigration Officers entered. She was arrested as overstaying her visa. Officers believed the female to be working but due to a lack of evidence a Referral Notice was not served at that time.

On 4/5/2018 another enforcement visit was conducted to Pearl City. On this occasion one of the chef's was arrested as an illegal entrant. A further male who had been arrested on 19/1/2018 was encountered sat at the staff table near the kitchen. He claimed not to be working. A Referral Notice was again served.

To summarise

3 Enforcement visits conducted to Pearl City resulting in 12 arrests.

2 Enforcement visits conducted to the staff house for Pearl City resulting in 2 arrests.

Fines totalling £90,000 have been issued to Pearl City, all remain outstanding.

This is evidence that the owners of Pearl City have a total disregard for Immigration Laws and as such should not be permitted a premises licence under Section 36 of Schedule 4 of the Immigration Act 2016.

Have you made an application for review relating to the premises before

Please tick ✓ yes

☐

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

EM

Date

03/08/2018.

Capacity **Responsible**

Authority.....
.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

**Alcohol Licensing Team
Lunar House
40 Wellesley Road**

Post town
Croydon

Post Code
CR9 2BY

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) Alcohol@homeoffice.gsi.gov.uk

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

6. This is the address which we shall use to correspond with you about this application.

Witness Statements
(Criminal Procedure Rules, Part 27)

Statement of witness

*(Criminal Procedure Rules, r27.1 (1);
Criminal Justice Act 1967, s.9, Magistrates' Courts Act 1980, s.5B)*

STATEMENT OF Mikolaj Czechanowski

Age of witness: Over 18

Occupation of witness: Licensing & Out of Hours Compliance

This statement consisting of 3 pages, each signed by me and is true to the best of my knowledge and belief and I make it knowing that, if tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything, which I know to be false or do not believe to be true.

I am employed by Manchester City Council as an authorised Licensing & Out of Hours Compliance officer, and parts of my duties include the enforcement of the Licensing Act 2003.

On the 21/01/2018 (Sunday) I have first visited the Pearl City on social occasion between the hours of 01:00 and 01:30. I witnessed an unusual disorder at the premise, with empty bottles on tipped over on the tables and on the floor, with one member of public sleeping on lined up table chairs. There were patrons of the premise and staff smoking cigarettes at the tables in the main room, inside the karaoke rooms and behind the bar. I also witnessed group of males around one of the tables, playing cards with large stacks of money and 5 white powder lines in front of one of the males. I witnessed one security staff member walking into the main room walking around and not addressing any of the issues above which indicated to me that it was a regular occurrence.

I visited the premise on the following Tuesday (23/01/2018 at 17:19) with Adele Officer and Andrew Costello (officer of the GMP) to conduct proactive Premises Licence Inspection and to obtain the CCTV footage from Saturday night/Sunday morning. We were met that afternoon by Alex Wang who introduced himself as the restaurant manager. We proceeded to check the premises compliance with the conditions of their licence. Following a number of questions it was found immediately that Mr Wang had no knowledge of the Premises Licence. Number of conditions were being breached. We then asked for the recording of the CCTV from Sunday which Mr Wang agreed to record for us. I visited the premise the following morning to collect the recording (exhibited the screenshot from the CCTV recording as MC01).

Signed..... Page 18 Dated.....

After our findings and reviewing the CCTV footage I prepared a warning letter which I sent to the premise 1st class on the 26/01/18. It contained our findings and advised the undermined licensing objectives as well as breached conditions and requesting improvement.

Following our referral, on the 16/02/18 Steve Titterton (Licensing Officer) visited Pearl City with Craig Tomlinson (officer of the GMFRS) and found the following issues related to fire safety:

- 1: Evidence of smoking throughout restaurant (burn marks on floors).
- 2: Fire safety, no fire risk assessment, fire doors wedged and tied open, no fire detector and those there were covered, no emergency lighting in operation.
- 3: Could not produce gas or electric safety certificates.
- 4: Evidence of gambling on premises - including 50 beakers with dice in, 3 large boxes of gaming tiles, boxes of playing cards in office, card/gaming tables piled on 2nd floor.
- 5: Stairs throughout property poorly maintained.
- 6: Possible makeshift bed on 3rd floor where laundry was stocked (Mr Lee (DPS) said it was for folding table linen on) there was also a radio alarm clock.
- 7: A food safety referral was completed due to unsafe food practises witnessed (meat products left out of fridge/freezer in large quantities, open containers of food, blood all over the storage area floor, defrosting poultry in water)

The premise has subsequently been served with Prohibition Order from the GMFRS on the 16/02/18 (exhibited document MC02) As a result of the notice, two top floors of the building were prohibited from use, second floor (bar and karaoke rooms) has been restricted to storage use only. And first floor (restaurant) restricted to maximum occupancy of 60 persons.

Licensing officers Gemma Smith and Andrew Richardson visited the premise following day (17/02/18) at 15:57, found breach of the notice and notified the GMFRS.

On the 31/03/2018 at 13:00 I conducted another licence inspection with Mr Koon Yau Lee and found no improvement with excessive number of conditions being breached. During the Licence inspection Mr Lee admitted that he never read the Premises Licence. I have regularly visited the premise following the initial inspection to find very little or no improvement.

Due to the lack of action from the premises to try and comply with their licence, I hand delivered a Pre-Review Invitation letter to Mr Koon Yau Lee on the 01/04/2018. I conducted the Pre-Review meeting on the 06/04/2018 at the Town Hall with Adele Officer and Simon Braithwaite (Licensing GMP) where Mr Lee showed his regret of irresponsible running of the business and not complying fully with his licence.

We agreed on action plan (Exhibit MC03) and time scale of conditions that must be

complied with. I also handed Mr Lee another Licensing Act 2003 warning letter.

As scheduled in action plan, on the 20/04/2018 I conducted a joint visit with my colleague Adele Officer and Simon Braithwaite (Licensing GMP) to Pearl City and were met by Mr Lee who was well prepared with all documentation required and ready for inspection. During the inspection we found that most conditions has now been adhered to and only two were still breached. Mr Lee however demonstrated that he is actively working on complying with them, presenting us with invoices and email communication with relevant authorities.

I have received an email from Mr Lee on the 24/04/2018 with attachment of the two remaining documents that makes the premise fully compliant with the Premises Licence.

Pearl City is now due to another full licence inspection in October 2018 which will demonstrate if the Licence Holder is continuously complying with the Licensing Act 2003. Currently Pearl City operates as a food led establishment due to the prohibition order being still in force on the upper floors. During our earlier inspections we found that the Bar and Karaoke rooms located on the 3rd floor of the premise was the area of greatest concern, as this is where the majority of the conditions on the licence were being breached and the licensing objectives were not being upheld causing the most breaches of both licence conditions and detrimental to licensing objectives.

Dated: 21st May 2018

Signed:

Formerly form 13, Magistrates' Courts' (Forms) Rules 1981 (SI 1981/553), relating to rule 70 of the Magistrates' Courts Rules 1981, section 9 of the Criminal Justice Act 1967 and section 5B of the Magistrates' Courts Act 1980.



MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	051108
Granted	02/09/2005 (Minor Vary 162197 Granted 15/04/14)

Part 1 - Premises details

Name and address of premises		
Pearl City Cantonese Restaurant 33 George Street		
Post town	Post code	Telephone number
Manchester	M1 4HQ	0161 228 7683

Licensable activities authorised by the licence

1. The sale by retail of alcohol*.
2. The provision of regulated entertainment, limited to:
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.

* All references in this licence to "sale of alcohol" are to sale by retail.

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	0400	0400	0400	0400	0400	0400	0400

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.

On the day British Summer Time commences: one additional hour following the terminal hour.

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	0400	0400	0400	0400	0400	0400	0400

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	0430	0430	0430	0430	0430	0430	0430

Licensed to take place indoors only.

Seasonal variations and Non standard Timings:

New Year's Eve: 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	0001	0001	0001	0001	0001	0001	0001
Finish	0000	0000	0000	0000	0000	0000	0000

Seasonal variations and Non standard Timings:

None

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Koon Yau Lee

33 George Street, Manchester, M1 4HQ

01612287683

Registered number of holder, for example company number, charity number (where applicable)

Not applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Koon Yau Lee, 33 George Street, Manchester, M1 4HQ

01612287683

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence number: PA0015

Issuing Authority: Trafford Metropolitan Borough Council

Annex 1 – Mandatory conditions

Door Supervisors

Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: -

- a) Unauthorised access or occupation (e.g. through door supervision),
- b) Outbreaks of disorder, or
- c) Damage

Supply of alcohol

1. No supply of alcohol may be made under this premises licence:
 - 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
2. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
3.
 - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) The policy must require individuals who appear to the responsible person to be under 18 years of

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Issued by:

Premises Licensing Team, PO Box 532, Manchester City Council, Manchester M60 2LA

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 a holographic mark.

4. (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - 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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - 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;
 - d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - i) the outcome of a race, competition or other event or process, or
 - ii) the likelihood of anything occurring or not occurring;
 - e) 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.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. The responsible person shall 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; and
 - b) customers are made aware of the availability of these measures.
8. 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.
9. For the purposes of the condition set out in 8 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.

Annex 2 – Conditions consistent with the operating schedule

1. All doors and windows shall be kept closed after 2300 except for access and egress of patrons.
2. No external speakers shall be operated from the premises.
3. Noises levels shall be kept to a level where they will not cause nuisance to any nearby residential property.
4. CCTV shall be installed at the premises and this shall be maintained in good working order at all times.
5. CCTV maintenance records shall be kept; details of contractor used and work carried out shall be recorded.
6. Where CCTV is recorded on 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.
7. CCTV shall be recorded on a hard drive system, the hard drive system shall have a minimum of 28 day roll over recording period.
8. 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.
9. 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.
10. Monitors for the purposes of viewing CCTV footage shall be easily accessible to members of staff. Hard drive systems shall be securely stored within the premises.
11. CCTV coverage shall adequately cover all karaoke rooms.
12. Bookings taken for karaoke sessions shall be recorded in writing in a book specifically used for this purpose. A clear record shall be kept of the name, address and contact details of the person making the booking. The book shall be made available for inspection by any member of the Licensing Authority or Greater Manchester Police.
13. A dedicated member of staff shall be responsible for patrolling the karaoke rooms at regular intervals.
14. The Challenge/Think 21 policy shall be implemented in full and appropriate identification shall be sought from any persons who appears under the age of 21. The only acceptable forms of identification shall be passport, photo driving licence and those carrying the PASS logo.
15. Notices shall be displayed in prominent positions at the premises indicating that the Challenge/Think 21 policy is in force.
16. Staff training shall include Challenge/Think 21 policy and its operation.
17. 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. The training shall be given to a new member of staff before they commence paid employment and all staff shall be retrained twice yearly. All training shall be documented.
18. A written record shall be kept on the premises by the DPS of every person employed as security personnel in a register kept for that purpose. That purpose shall contain the following details:
 - i. Door supervisors name, date of birth and address
 - ii. His/her Security Industry Authority Licence Number
 - iii. The time and date he/she starts and finishes duty.
 - iv. The time of any breaks taken whilst on duty
 - v. Each entry shall be signed by the door supervisor

That register shall be available for inspection on demand by and authorised officer of the council, the SIA or a police constable.

19. Management shall risk assess on a case by case basis whether it shall be responsible to serve spirits in full bottles. Where it is assessed that there may be a risk associated with serving full bottles any such request shall be refused. Management shall ensure that all staff are trained in the necessity to understand the potential consequences of serving spirits in this way. A record of training shall be kept.
20. An incident log shall be maintained at the premises, and produced upon request to an officer of a responsible authority.

Conditions added by minor variation.

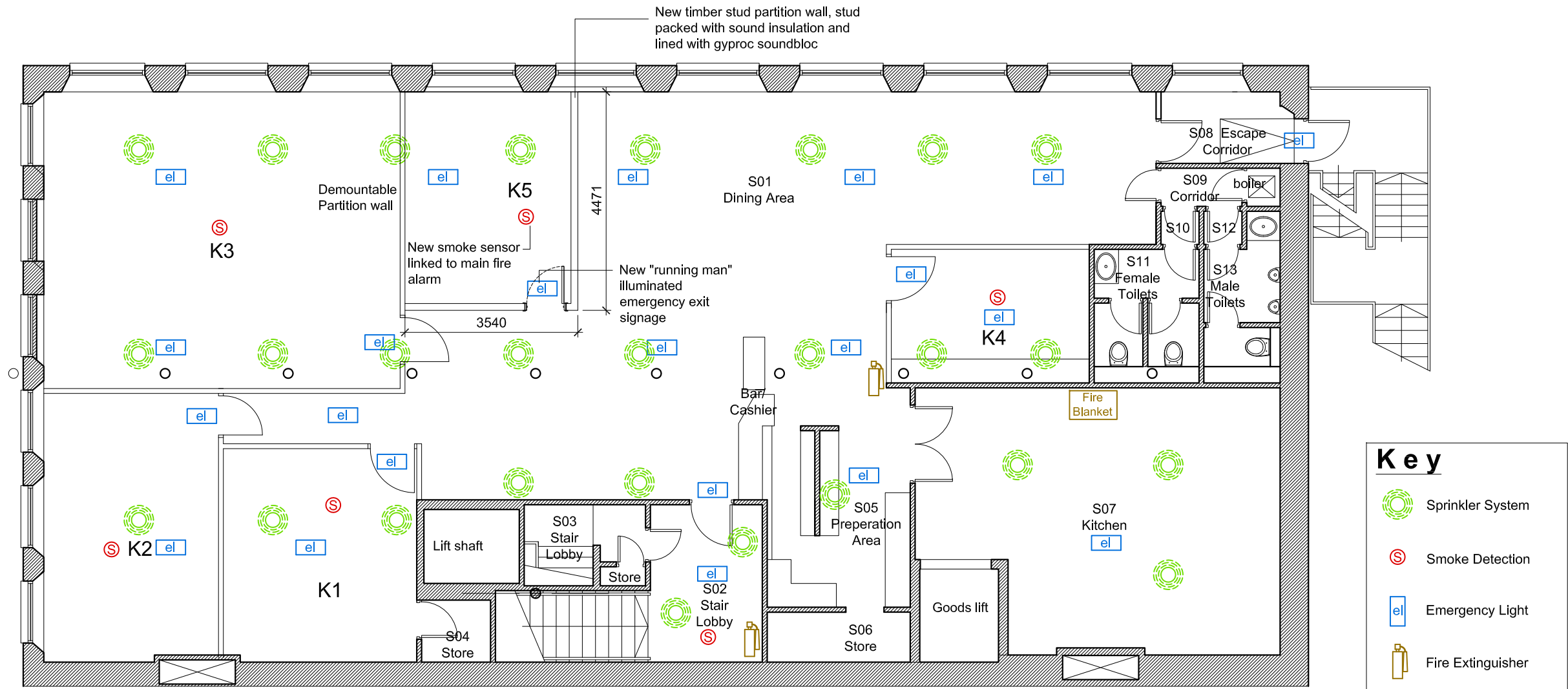
1. An incident log shall be maintained at the premises, and produced upon request to an officer of a responsible authority.
2. The premises shall subscribe to, maintain and use the NiteNet radio system.
3. From 0000 onwards daily, doorstaff at the entrance to the premises will be linked by radio to members of staff / door staff upstairs to ensure effective communication between floors.
4. All members of staff shall be trained on the law relating to the offence of selling alcohol to drunks. The training shall be documented and repeated quarterly.
5. There shall be effective communication between management and members of staff to ensure that known troublemakers or persons barred from the premises are not to be permitted entry to the premises.
6. Glassware shall not be left to accumulate on tables and will be disposed of quickly.
7. A dedicated member of staff shall be responsible for ensuring the prompt clearing of empty glassware and bottles from tables. The name of the person responsible for this role shall be documented as part of the daily staff briefing

Annex 3 – Conditions attached after a hearing by the licensing authority

1. Window coverings on the windows into the karaoke booths shall be altered so that they are not fully obscured, to allow staff to monitor actions inside the booths without entering them.
2. Smoking and search policies shall be drawn up and lodged with GMP and the Licensing Authority.
3. For externally promoted events, the premises licence holder or DPS shall contact GMP at least 14 days in advance to notify them of the nature of the event so that it can be properly risk assessed.
4. At least one SIA registered door supervisor shall be employed at the premises daily from 2330 until the premises closes. On nights when the karaoke rooms are in use, at least one SIA registered door supervisor will be employed from 2100. The need for further door staff shall be risk assessed by the Premises Licence Holder or DPS in conjunction with Greater Manchester Police on a regular basis and further door staff shall be employed when it is deemed necessary to do so.

Annex 4 – Plans

See attached Plan A657002B as per Minor Variation 162197



Second floor

<p>All dimensions are to be checked on site, any discrepancies are to be reported to the Architect before work commences. Do not scale from this drawing.</p> <p>This drawing is to be read in conjunction with all relevant consultants and specialists drawings / documents, any discrepancies are to be reported to the Architect before the affected work commences.</p> <p>All structural components shown are indicative only. Details / calculations of structural members are to be provided by the Structural Engineer.</p>	<p>Revisions</p> <p>A 21/02/14 K5 reduced In size</p> <p>B 26/02/14 Notes amended</p>	<p>NORTH</p>	Project, location		<div>hamon architects</div> <p>HAMON ARCHITECTS LTD. 23 VICTORIA STREET ST.ANNE ALDERNEY GY9 3TA COMPANY NO. 1813 TEL: 01481 822210 E-MAIL: mail@hamonarchitects.com</p>																	
			George street, Manchester																			
			RIBA Workstage		<table><tr><td>Client</td><td colspan="3">Drawing Title</td></tr><tr><td>Pearl City restaurant</td><td colspan="3">2nd Flr Fire strategy</td></tr><tr><td>Job No. A657</td><td>Drawing no. 002</td><td>Revision B</td><td>Scale 1:100 @ A3</td><td>Date Feb 2014</td></tr></table>					Client	Drawing Title			Pearl City restaurant	2nd Flr Fire strategy			Job No. A657	Drawing no. 002	Revision B	Scale 1:100 @ A3	Date Feb 2014
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For approval																						
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