



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 22 May 2023

Time: 10.00 am

Venue: Council Antechamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

### **Access to the Council Antechamber**

Public access to the Council Antechamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension.

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

## **Membership of the Licensing Sub Committee Hearing Panel**

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**Councillors** - Grimshaw, Connolly and Hewitson

## Agenda

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**1. Urgent Business**

To consider any items which the Chair has agreed to have submitted as urgent.

**2. Appeals**

To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.

**3. Interests**

To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.

**4. Temporary Event Notice - Home Manchester Ltd, 16 Chorlton Street, Manchester, M1 3HW**

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

## Information about the Committee

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

A procedure has been agreed which governs how the Panel will consider such applications.

Decisions made by the Panel will be under delegated authority and will not require to be referred to the Council for approval. Meetings are controlled by the Chair, who is responsible for seeing that the business on the agenda is dealt with properly.

Copies of the agenda are published on the Council's website. Some additional copies are available at the meeting from the Governance Support Officer.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

Smoking is not allowed in Council buildings.

Joanne Roney OBE  
Chief Executive  
Level 3, Town Hall Extension,  
Albert Square,  
Manchester, M60 2LA

## Further Information

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For help, advice and information about this meeting please contact the Committee Officer:

Ian Smith  
Tel: 0161 234 3043  
Email: [ian.hinton-smith@manchester.gov.uk](mailto:ian.hinton-smith@manchester.gov.uk)

This agenda was issued on **Friday, 12 May 2023** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

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## Manchester City Council Report for Resolution

**Report to:** Licensing Subcommittee Hearing Panel – 22 May 2023

**Subject:** Home Manchester Ltd, 16 Chorlton Street, Manchester, M1 3HW - ref: LTN287950

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

### Summary

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

### Recommendations

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

**Wards Affected:** Piccadilly

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

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

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**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Contact Officers:**

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 Position: Principal Licensing Officer  
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Name: Bryan Johnson  
 Position: Technical Licensing Officer  
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 E-mail: [Premises.licensing@manchester.gov.uk](mailto:Premises.licensing@manchester.gov.uk)

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**Background documents (available for public inspection):**

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

## 1. **Introduction**

- 1.1 On 5<sup>th</sup> May 2023, a temporary event notice (TEN) was given under s100A of the Licensing Act 2003 in respect of Home Manchester Ltd, 16 Chorlton Street, Manchester, M1 3HW in the Piccadilly ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 In accordance with Licensing Act 2003 regulations, Greater Manchester Police (GMP) and Licensing Out of Hours Compliance (LOOH) were notified of the TEN.
- 1.3 Where either GMP or LOOH is satisfied that allowing the premises to be used in accordance with the TEN would undermine a licensing objective, they must give an objection notice to the relevant licensing authority, the premises user, and to every other relevant person.
- 1.4 The objection notice must be given no later than three working days after the day on which the objector is given the TEN.
- 1.5 An objection notice has been received in respect of this TEN and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

## 2. **The Notice**

- 2.1 A copy of the TEN is attached at **Appendix 2**.
- 2.2 The premises user is Mr Lup Cheung Jason Woo.
- 2.3 The description of the event is Manchester Pride 2023.
- 2.3.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this TEN.
- 2.3.2 Any further details provided relating to any of the individual licensable activities are specified on the TEN at **Appendix 2**.
- 2.3.3 The premises is subject to a premises licence issued under the Licensing Act 2003. A copy of the licence is included at **Appendix 4**.
- 2.4 **Activities unsuitable for children**
- 2.4.1 The premises user has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

## 3. **Objection Notice(s)**

- 3.1 An objection notice was received from GMP in respect of the TEN (**Appendix 3**). The personal details of all members of the public have been redacted.

Original copies of these objections will be available to the Panel at the hearing.

### 3.2 Summary of the objections:

Party	Grounds of representation	Recommends
<b>GMP</b>	<p>GMP have objected to the notice on the grounds of the prevention of crime and disorder, the prevention of public nuisance and the upholding of public safety.</p> <p>GMP are not satisfied that the Premises User has provided sufficient information in support of the notice to allay any concerns that they have regarding the premises' ability to provide a safe and secure external drinking area during the Pride 2023 festival period.</p>	Serve a counter notice

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

### 4.1 **Legal Considerations**

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

### 4.2 **New Information**

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

### 4.3 **Hearsay Evidence**

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

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

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

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

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

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

#### 5. **Conclusion**

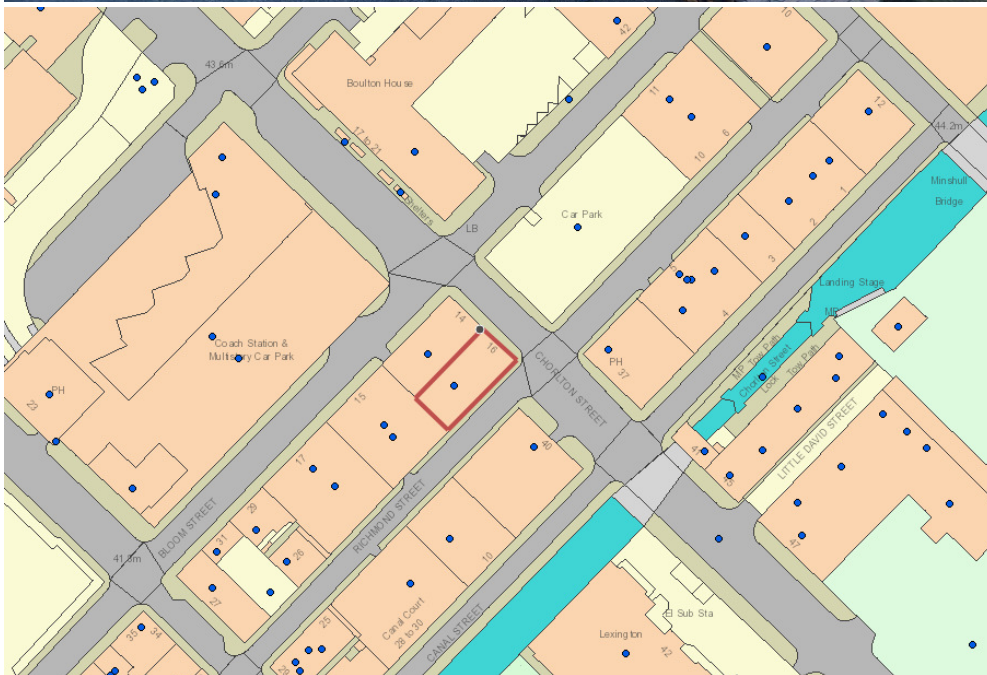
- 5.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
  - public safety;
  - the prevention of public nuisance; and
  - the protection of children from harm.
- 5.2 In considering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

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

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

Home Manchester Ltd  
 16 Chorlton Street, Manchester, M1 3HW  
 Premises Licensing  
 Manchester City Council

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 Survey100019568.



**PREMISE NAME:** Home Manchester Ltd

**PREMISE ADDRESS:** 16 Chorlton Street, Manchester, M1 3HW

**WARD:** Piccadilly

**HEARING DATE:** 22/05/2023

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# Temporary Event Notice

Payment Transaction number:- /3dd38cfa-19 | Form Reference number EF1/808246

## Premises User Information

Title

Mr

If other please state

n/a

Surname

Woo

Forenames

Lup Cheung Jason

Previous names (Please enter details of any previous names or maiden names, if applicable)

n/a

Your date of birth

Your place of birth

National Insurance Number

Your current address (We will use this address to correspond with you unless you complete the separate correspondence box)

Telephone

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email address

Address

n/a

Telephone

n/a

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email

n/a

## Premises information

Please give the name and address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references)

Home  
16 Chorlton Street  
Manchester  
M1 3HW

Premises licence number

198244

Club premises certificate number

n/a

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details.

n/a

Please describe the nature of the premises

Restaurant

Please describe the nature of the event

Manchester Pride

Licensable activities

The sale by retail of alcohol

Yes

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

Yes

The provision of regulated entertainment

Yes

The provision of late night refreshment

Yes

Are you giving a late temporary event notice?

Yes

Please state the dates on which you intend to use these premises for licensable activities.

25th Aug 2023 - 28th Aug 2023

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock).

25/8-27/8: 1200-2300 28/8: 12-2000

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers (maximum 499).

498

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both

Both

Please state if the licensable activities will include the provision of relevant entertainment.

No

If yes selected, please state the times during the event period that you propose to provide relevant entertainment.

n/a

## Personal Licence Details

Do you currently hold a valid Personal Licence?

Yes

Issuing Authority

Wakefield

Licence Number

PA4223

Date of Issue

n/a

Date of Expiry

n/a

Any further relevant details

n/a

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

No

If answering yes, please state the number of temporary event notices you have given for events in that same calendar year

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your associate have given for events in the same calendar year

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

## Declaration and Payment New

Name
LUP CHEUNG JASON WOO
Capacity in which you are making this application
DIRECTOR

## Additional information

I_understand	Yes
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These are the files included with this application :-

Acknowledgement

I acknowledge receipt of this temporary event notice

Signature:

On behalf of the Licensing Authority

Date:

Name of officer signing:

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

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## GREATER MANCHESTER POLICE



To: Manchester City Council  
Licensing Unit  
Manchester Town Hall Extension  
Lloyd Street  
Manchester

To: Mr Lup Cheung Jason Woo  
Home Restaurant  
16 Chorlton Street  
Manchester  
M1 3HW

11<sup>th</sup> May 2023

Dear Sir,

Please accept this letter as formal notification that Greater Manchester Police wish to object, under Section 104(2) of the Licensing Act 2003, to the **TEMPORARY EVENT NOTICE** detailed below, as we are satisfied that granting the application under these circumstances would undermine the Licensing Objectives.

<b>PREMISES NAME:</b>	<b>Home Restaurant</b>
<b>ADDRESS:</b>	16 Chorlton Street Manchester M1 3HW
<b>DATE OF EVENT:</b>	25/08/23 – 28/08/23
<b>TIME OF EVENT:</b>	12:00 – 23:00hrs (12:00 – 20:00 on 28/8)

Temporary Event Notice reference number - 287950/BJ1

GMP objects to the grant of this Temporary Event Notice on the grounds of the Prevention of Crime and Disorder, Public Safety and the Prevention of Public Nuisance.

The premises have applied for an outside bar on during Pride.

Despite being in correspondence with the applicant, he hasn't provided GMP or MCC with a plan of where the bars will be placed and any description of the bars, especially the size of the bars. Without the information, GMP feels that if it's placed in a position which is potentially dangerous, it will undermine the Licensing Objectives listed above. This may undermine the safety of those attending the event.

**GREATER MANCHESTER POLICE**

As such we ask that this TEN application is refused.

Signed:.....PC 11680 Braithwaite..... (rank/pin/name)

Date/Time 11<sup>th</sup> May 2023, 22:00 hours.

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

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# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	198244
Granted	04/07/2017
Latest version	DPS Variation 283055 granted 05/12/2022

### Part 1 - Premises details

Name and address of premises
<b>Home Manchester Ltd</b> 16 Chorlton Street, Manchester, M1 3HW

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

The times the licence authorises the carrying out of licensable activities
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Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	0200	0200	0200	0200	0200	0200	0200
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.							
The day preceding Bank Holidays – 1000 to 0300							
Sunday's of Pride Week 1000 to 0300							

Performance of plays							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	Not applicable			1700	Not applicable		
Finish				2400			
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
New Year's Eve- 1000 until the terminal hour for New Year's Day.							
The day preceding Bank Holidays – 1000 to 0300							
Sunday's of Pride Week 1000 to 0300							

Live music							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	Not applicable			1900	2000	2000	1800
Finish				2400	0100	0100	2230
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
New Year's Eve – 1000 until the terminal hour for New Year's Day							
The day preceding Bank Holidays – 1000 to 0300							
Sunday's of Pride Week 1000 to 0300							

Recorded music							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0800	0800	0800	0800	0800	0800	0800
Finish	0200	0200	0200	0200	0200	0200	0200
Licensed to take place indoors only.							
Seasonal variations and Non-standard Timings:							
New Year's Eve – 1000 until the terminal hour for New Year's Day							
The day preceding Bank Holidays – 1000 to 0300							
Sunday's of Pride Week to 1000 to 0300							

Provision of late night refreshment							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0200	0200	0200	0200	0200	0200	0200
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.							
The day preceding Bank Holidays – 2300 to 0300							
Sunday's of Pride Week - 2300 to 0300							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0800	0800	0800	0800	0800	0800	0800
Finish	0230	0230	0230	0230	0230	0230	0230
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.							
The day preceding Bank Holidays – 0800 to 0330							
Sunday's of Pride Week – 0800 to 0330							

## Part 2

Details of premises licence holder	
Name:	Home Manchester Ltd
Address:	129 Allenby Road, Leeds, LS11 5RR
Registered number:	14105317

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	Lup Cheung Jason Woo
Address:	
Personal Licence number:	PA4223
Issuing Authority:	Wakefield Council

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

4.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
5.
  - (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
  - (2) For the purposes of the condition set out in (1) above–
    - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
    - (b) “permitted price” is the price found by applying the formula–
 
$$P = D + (D \times V)$$

where –

      - (i) P is the permitted price,
      - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
      - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
    - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
      - (i) the holder of the premises licence,
      - (ii) the designated premises supervisor (if any) in respect of such a licence, or
      - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
    - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
    - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

- (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
  - (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
  - (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

## 8. The responsible person must ensure that –

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

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

## Annex 2 – Conditions consistent with the operating schedule

1. Children under the age of 16 shall not be allowed in the premises after 2000, if not accompanied by an adult.
2. Children under the age of 18 will not be allowed in the premises after 2200, if not accompanied by an adult.

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

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.
2. Door staff shall be employed at a ratio of 1:100 from 2100 on a Friday and Saturday until 30 minutes after closing to assist with the orderly dispersal of customers. Door staff shall wear his visibility jackets when on duty.

3. A written record shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as security personnel in a register kept for that purpose. The record shall contain the following details:
  - a) the name and date of birth of each security staff member on duty;
  - b) his/her SIA licence number;
  - c) the time and date he/she starts and finishes duty;
  - d) the time of any breaks taken on duty;
  - e) each entry shall be signed by the respective security staff member.

This register shall be available for inspection by the Police, an authorised officer from the council and/or the SIA.

4. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:
  - (a) all crimes reported to the venue, or by the venue to the Police
  - (b) all ejections of patrons
  - (c) any incidents of disorder
  - (d) any faults in the CCTV system
  - (e) any visit by a relevant authority or emergency service
5. The designated premises supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to enable to verify their identity against the notice.
6. The premises shall display prominent signage indicating at any point of sale, the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.
7. In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log and monitor staff to ensure their training is put into practice. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals.
8. Except for access and egress premise windows and doors to be kept closed after 2230.
9. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
10. Staff shall monitor customers smoking outside the premise on a regular basis and ensure patrons do not cause public nuisance.
11. A specific taxi operator shall be nominated for staff and customers use. The company's telephone number shall be advertised to customers. The operator, and all drivers, shall be aware that they should arrive and depart as quietly as possible, should not sound vehicle horns as a signal of their arrival or leave engines running unnecessarily.

12. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises is open to the public and dedicated litter pickers shall patrol the area at closing time.
13. No deliveries or waste collections must be made between 2200 – 0800.
14. No bottles, glasses or similar items may be disposed of in outside receptacles between 2200 – 0800.
15. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram.

#### Annex 4 – Plans

See attached

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

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