



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 243452
Name: Topkapi Palace Restaurant
Address: 205 Deansgate, Manchester, M3 3NW
Ward: Deansgate
Application Type: Premises Licence (new)
Name of Applicant: Mr Mete Dursun
Date of application: 06 May 2020

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

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

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

Proposed licensable activities and opening hours to be granted

Provision of late night refreshment:
Mon to Sun 11.00pm to 5.00am

The supply of alcohol for consumption on the premises only:
Mon to Sun 10.00am to 11.00pm

Opening hours:
Mon to Sun 10.00am to 5.00am

Representations received

Licensing & Out of Hours
Compliance

Due to the central location of the premises (within a very busy area of the city centre where substantial night-time economy activities take place and where numerous existing licensed premises are present/operating) LOOH Compliance have expressed concern that the granting of the application, in its original form, could lead to an adverse impact upon all of the Four Licensing Objectives, particularly in regard to potential noise outbreak from the premises occurring.

Agreements between parties

Licensing & Out of Hours Compliance:

- All members of Staff shall be trained in the requirements of the Licensing Act 2003 with regard to the four licensing objectives.
- All members of staff shall be trained on the premises policies relevant to the operation of the day-to-day business.
- A record shall be kept of the date and name of person trained or advised and be made available for inspection by the police or licensing authority.
- The Premises shall undertake regular risk assessments in order to ensure the safety of its customers, as far as practicable.
- Firefighting equipment shall be maintained and serviced according to the manufacturer's instructions on an annual basis.
- The premises shall have a first aid box on site, at all material times, and staff shall be first-aid trained.
- An alarm shall be installed at the premises to protect it when closed.
- Any staff or private areas and cellars shall be kept locked and secured whilst the premise is open to the public.
- We shall ensure that suitably qualified door supervisors shall be employed from 2330 to 0530.
- We shall only allow individuals licensed by the Security Industry Authority to be used at the premises to undertake security activities. Our Door supervisors shall be required to deal with:
 - unauthorised access or occupation (e.g. through door supervision);
 - outbreaks of disorder by customers, and/or;
 - damage.
- All of our door supervisors shall be wearing clothing that makes them clearly identifiable in their role.
- Any person performing the role of a door supervisor shall be clearly displaying SIA badges whilst working.
- Door staff shall sign into a register detailing their full SIA licence number, their name, contact details and the time and date their duty commenced and concluded. That register shall be made available upon request of a Police Officer and/or an Authorised Officer of the Licensing Authority.
- We shall have installed CCTV that shall be operating at any time an individual is on the premises/trading.

- We shall ensure that our CCTV images shall have sufficient clarity, quality and definition to enable facial recognition.
- We shall ensure the cameras cover all internal areas accessible to the public and areas immediately outside the premises. Moreover, we shall ensure the date and time settings on the system is correct at all times.
- We shall ensure that our CCTV images shall be retained, in an unedited form, for a minimum of 31 days and shall be produced on the request of the police or the local authority.
- We shall ensure that our CCTV system shall be maintained on a regular basis and kept in good working order. However, if the system is faulty or not working, we shall notify the police and local authority immediately. Moreover, details of any malfunction shall be recorded in the premise's incident book.
- We shall maintain an up to date incident book, which shall be maintained and full details of all occurrences of disorder at the premises shall be recorded. The incident book shall be kept on the premises at all times and shall be made available for inspection by the Local Authority and the police.
- CCTV maintenance records shall be kept, including details of the contractor(s) used and work completed.
- A4 sized warning notices shall be displayed in public areas of the premises and at all entrances advising that CCTV is in operation.
- Senior staff shall be trained in the maintenance and operation of the CCTV systems with a record kept of the date and name of person trained. Records shall be made available for inspection by the police or licensing authority.
- We shall ensure that a full risk assessment is undertaken by a professional body that will ensure the safety of the public, our staff and customers. Moreover, our risk assessment shall highlight any potential hazards and set out practical precautions to manage hazards. We shall review our risk assessment every 12 months.
- All of our staff shall be made aware of the risk assessment and precautionary measures therein.
- A copy of our risk assessment shall be kept at the premises and made available for inspection at all times.
- At our premises a fully maintained first aid box shall be available at all times.
- Our staff shall be aware of their responsibilities regarding smoke-free legislation and for monitoring compliance. Our staff shall actively ensure that customers do not smoke in the premises or directly outside the door.
- Our staff shall ensure that spillages and/or broken glass is cleaned up immediately to prevent floors from becoming slippery and unsafe.

- Moreover, bins shall be secure at all times and kept away from public areas.
- We shall adopt a written policy to deal with all types of accidents & emergency incidents. Our policy shall include guidance on how to deal with matters such as emergency situations, contingency planning and evacuation procedures in the event of fire, bomb threats or suspect packages and when to contact emergency services.
- Our Staff shall be trained in their role and responsibilities for fire safety. Training shall include how to use fire extinguishers and blankets amongst preventative measures.
- Our Staff shall be trained in their role and responsibilities for emergency evacuations.
- Our emergency routes and fire exits shall be clearly defined, and evacuation plans exercised regularly. Our staff shall ensure that all fire exits, and pathways are free from obstruction at all times.
- A copy of our fire risk assessment shall be kept at the premises at all times. This shall be made available for inspection by the fire authority and licensing authority.
- We shall have a fire detection system installed by an accredited body. Our fire system shall be tailored to the needs and design of our premises. We shall ensure that our fire detection system is fully functional at all times. The system shall be tested regularly with records kept and made available for inspection.
- All equipment shall be checked and maintained regularly with a record kept of the date and findings of the checks.
- An accident book shall be kept in order to record all accidents or incidents and made available for inspection.
- We shall operate a zero-tolerance policy to the use of drugs in the premises.
- Our staff shall refuse entry to anyone who appears to be showing signs of drug use and contact the emergency services in appropriate circumstances.
- All customers shall be asked to leave quietly, in addition to clear and legible notices that shall be prominently displayed to remind customers to leave quietly and have regard to our neighbours.
- We shall endeavour to keep windows and doors closed, as far as practicable, during regulated entertainment. We shall remind staff to keep windows closed and customers to close doors when entering and leaving the premises during the regulated times.
- We shall ensure that any speakers are away from walls adjacent to residential properties.

- Our staff shall use their best endeavours to ensure that customers do not congregate outside the premises when operating as a takeaway from 00:00hours to 05:00hours.
- A defined queuing system shall be implemented and operational at the premises when operating as a takeaway from 00:00hours to 05:00hours.
- Our staff shall not allow rowdy behaviour from people queuing/using our premises. Staff shall refuse entry/service to anyone behaving in an anti-social way.
- We shall ensure that commercial deliveries, collections and storage/ disposal of waste, including refuse collections and storage / disposal of waste and recyclables in external areas shall be restricted to normal working hours between 8am and 6pm Monday to Friday.
- External lighting for the premises shall be turned off after the premises are closed to the public.
- A contact telephone number shall be made available to local residents and businesses which they can use to report noise disturbances to a responsible person at the venue as and when they occur. The phone line shall be available at all times the licence is in use.
- We shall ensure that all rubbish bins and glass refuse are kept at the rear of the premises, away from public access.
- We shall place a bin outside the entrance/in the exit of the premises to minimise the risk of customers throwing litter.
- We shall not empty bottles, bins and rubbish between 11.00pm and 7.00am.
- We shall advise customers of nearest car park, on request.
- We shall ask customers, whom we see parking either illegally, to find suitable parking before being served by our staff.
- We shall have a written policy setting out measures to protect children from harm at our premises. The policy shall consider all activities associated with our premises and when children should be allowed on or restricted from the premises.
- We shall ensure that all staff will be trained on the policy.
- We shall allow children to enter our premises unaccompanied between the hours of 11:00 to 21:00.
- We shall only allow admittance of children if they are accompanied by an adult after 21:00.
- We shall operate a Challenge 25 strategy for all individuals consuming/purchasing alcohol.

- Staff shall check the outside area hourly and at close of business, removing any litter while the premises is operating as a takeaway.

Background documents (available for public inspection):

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