

## Licensing Act 2003 (Hearings) Regulations 2005

**Reference:** 246468  
**Name:** Cloudwater Brew Co.  
**Address:** Units 12 & 13, Piccadilly Trading Estate, Giddings Road, Manchester, M1 2NP  
**Ward:** Piccadilly  
**Application Type:** Premises Licence (new)  
**Name of Applicant:** Cloudwater Brewing Company Ltd  
**Date of application:** 18 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

The supply of alcohol for consumption off the premises only:  
 Mon to Sun 9am to 8pm

Opening hours:  
 Mon to Sun 9am to 8pm

### Representations received

Trading Standards	Trading Standards feel that the application is not detailed enough and the applicant has failed to demonstrate how the premises will promote the licensing objective the Protection of Children from Harm.
Licensing & Out of Hours Compliance	Officers are not satisfied that the conditions offered at present are sufficient to uphold the Prevention of Public Nuisance licensing objective.

## **Agreements between parties**

### **Trading Standards:**

1. 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 EU/EEA national ID card or similar document, an HM Forces warrant card, or a card bearing the PASS hologram.
2. 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, enter sales correctly on the tills so the prompts show as appropriate 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.
3. The premises shall display prominent signage indicating in all areas where alcohol is located that the Challenge 25 scheme is in operation indicating that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18 and for a person under the age of 18 to buy or attempt to buy alcohol

### **Licensing & Out of Hours Compliance:**

1. No noise shall emanate from the premises that gives rise to a nuisance.
2. Where necessary, entry to and from the premises shall be controlled via a queuing system.
3. 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) any complaints received
  - (b) any incidents of crime/disorder
  - (c) any faults in the CCTV system
  - (d) any visit by a relevant authority or emergency service
4. The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol.
5. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
6. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.
7. All staff shall be trained in:
  - a. Relevant age restrictions in respect of products
  - b. Recognising signs of drunkenness and vulnerability
  - c. How to refuse service

- d. The premises' duty of care policy
- e. Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services
- f. The conditions in force under this licence

8. 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. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council

9. A refusals log must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused.

10. The premises shall install and maintain a digital colour CCTV system covering all public areas of the licensed premises, including all public entry and exit points. CCTV shall continually record whilst the premises are open to the public and the recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping.

11. 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.

12. All areas to which the public have legitimate access must be sufficiently illuminated for the purpose of CCTV.

### **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