



Licensing Act 2003 (Hearings) Regulations 2005

Reference: 256212
Name: YOURS
Address: International House, 82-84 Deansgate, Manchester,
M3 4HF
Ward: Deansgate
Application Type: Premises Licence variation
Name of Applicant: Black Rose Spirits Ltd
Date of application: 8 March 2021

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 regulated entertainment (live music, recorded music):
Proposed hours: Mon to Sun 10am to 3.30am

Provision of late-night refreshment:
Current hours: Mon to Sun 11pm to 12midnight (Indoors only)
Proposed hours: Mon to Sun 11pm to 3am (both Indoors and Outdoors)

Supply of alcohol for consumption both on and off the premises:
Current hours: Mon to Sat 10am to 12midnight
Current hours: Sun 10am to 11.30pm
Proposed hours: Mon to Sun 10am to 3am

Opening hours:
Current hours: Mon to Sat 8am to 12midnight
Current hours: Sun 8am to 11.30pm
Proposed hours: Mon to Sun 8am to 3.30am

To extend the licensable activities from the start time on New Year's Eve to 3.30am on New Year's Day (currently 2.30am)

Representations received

Licensing & Out of Hours Compliance	Taking into account factors such as the location of the premises, the hours applied for, the nearby location of residential properties and other potential risks related to the granting of the licence, LOOH and Compliance Team are objecting to the premises on the grounds of public nuisance and public safety. To satisfy their concerns LOOH and Compliance Team are requesting that a range of extra conditions be added to any subsequently granted premises licence
Local Ward Councillors	Due to the nearby location of residential properties to the premises the Local Ward Councillors are objecting to the application mainly on the grounds of there being a risk of public nuisance occurring at the premises which, they believe, will adversely affect the quality of life for those persons residing in close proximity. As a consequence of their representation the Local ward Councillors are requesting that use of the licensed external seating area at the premises be restricted to the City Centre standard of 11.00pm and that deliveries/waste collections at the premises take place only between 8.00am to 8.00pm on any given day of the week.

Agreements between parties

Licensing & Out of Hours Compliance:

1. The Nitenet radio link shall be operated at all times the premises are open to the public. The radio shall be kept in good working order, operated by a responsible member of staff and used to report incidents of crime and disorder to the CCTV control room and other radio users.
2. Open containers of alcohol shall not be removed from the premises, except for consumption in any delineated external area as shown on the plan attached to the licence.
3. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
4. Patrons permitted to temporarily leave then re-enter the premises (which includes the external area) e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
5. The external area detailed on the premises plan shall not be in use without obtaining table and chairs licence.
6. Speakers shall not be located / operated in the entrance lobby or outside the premises.

7. The Designated Premises Supervisor shall ensure that tables are cleared of all bottles and glasses on a regular basis during trading hours to avoid an accumulation of glassware.
8. The premises shall operate a pre-opening and closing checklist to ensure all appropriate steps have been taken before the premises are open to the public and at the close of business each day. These checks shall be recorded and kept for a minimum of six months and made available for inspection upon request by a responsible authority, police officer or authorised officer.
9. The Premises Licence Holder shall ensure that at all times when the public is present there is at least one competent person able to administer first aid, that an adequate and appropriate supply of first aid equipment and materials is available on the premises, and that adequate records are maintained in relation to the supply of any first aid treatment.
10. At least one competent person on duty at the premises shall be trained in the Fire Safety and Evacuation procedures for the premises and aware of their individual responsibilities. 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.
11. Staff training shall include procedures to deal effectively with emergency incidents, including:
 - reporting an emergency to the relevant emergency service;
 - safe evacuation of customers;
 - dealing with terrorist threats or incidents.
12. No glassware including bottles shall be moved, removed or placed in outside areas between 23:00 and 07:00 hours Monday to Friday and between 20:00 and 08:00 Saturday to Sunday and Bank Holidays.
13. No deliveries or waste collections must be made to/from the premises between 20:00 and 08:00 hours.
14. The licence holder shall enter into an agreement with a hackney carriage and/or private hire firm to provide transport for customers, with contact numbers made readily available to customers, who will be encouraged to use such services. A call-back system must be operated, and drivers instructed not to sound their horns when collecting customers.
15. Children under the age of 18 shall not be allowed to remain on the premises after 20:00, or 21:00 if children are dining and accompanied by an adult over the age of 18.

Local Ward Councillors:

1. The external area as shown on the plan shall be closed to drinkers/diners at 23:00 daily and after that time only persons wishing to smoke may use the area (smokers using the area after 23:00 shall not be permitted to take any drinks outside).

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