

Licensing Act 2003 (Hearings) Regulations 2005

Reference: 256729
Name: Rendition
Address: 209 Deansgate, Manchester, M3 3NW
Ward: Deansgate
Application Type: Premises Licence variation
Name of Applicant: Tapeo Food and Wine Ltd
Date of application: 26 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

Current hours:

Live Music and Performance of Dance:

Mon to Thurs 12 noon to 1am
Friday and Sat 12 noon to 2am
Sun 12 noon to 12am

Recorded Music:

Mon to Thur 8am to 1am
Fri and Sat 8am to 2am
Sun 8am to 12am

Current Non-standard times (NST): New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day. Sunday's preceding a Bank Holiday Monday: 0800 to 0200

Proposed hours:

Live music, and performance of dance indoors :

Mon to Sun 12noon to 2am

Recorded Music indoors :

Mon- Sun 8am to 2am

Proposed NST:

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour on the day British Summer Time commences to disapply its effect. An additional hour on the day preceding a Bank Holiday Monday.

Provision of late-night refreshment:

Current hours:

Mon to Thurs 11pm to 1am
Fri and Sat 11pm to 2am
Sun 11pm to 12am

Current NST : From 2300 on New Year's Eve to 0500 on New Year's Day.
Sunday's preceding a Bank Holiday Monday 2300 to 0200

Proposed hours: Both on and off the premises

Mon to Sun 11pm to 2am

Proposed NST: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour on the day British Summer Time commences to disapply its effect. An additional hour on the day preceding a Bank Holiday Monday

Supply of alcohol for consumption both on and off the premises:

Current hours:

Mon-Thurs 8am to 1am
Friday and Sat 8am to 2am
Sun 8am to 12am

Current NST New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day. Sunday's preceding a Bank Holiday Monday: 0800 to 0200

Proposed hours:

Mon to Sun 8am to 2am

NST: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour on the day British Summer Time commences to disapply its effect. An additional hour on the day preceding a Bank Holiday Monday

Opening hours:

Current hours:

Mon to Thurs 7am to 1.15am
Friday and Sat 7am to 2.15am
Sun 8am to 12.45am

Current NST: From the start time on New Year's Eve to the terminal hour for

New Year's Day. Sunday's preceding a Bank Holiday Monday 0800 to 0215

Proposed hours:

Mon to Sun 7am to 2.30am

Proposed NST: From the start time on New Year's Eve to the terminal hour for New Year's Day. Sunday's preceding a Bank Holiday Monday 0800 to 0230

Amendment to conditions 8 and 13 Annex 2

Condition 8 Annex 2

Current condition: Plans indicating the position of CCTV cameras shall be submitted to the responsible bodies within one of the granting of a licence requiring CCTV.

Proposed Condition: Plans indicating the position of CCTV cameras shall be submitted to the responsible bodies within one month of the granting of a licence requiring CCTV.

Condition 13 Annex 2

Current: All off sales shall be in a sealed container; no glasses or open bottles shall be taken from the premises.

Proposed: Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.

Removal of conditions 10 and 12 of Annex 2

Condition 10: The premises shall operate as a "food led" establishment with food being available to terminal, of licensable activities.

Condition 12: Off sales of alcohol from the Delicatessen shall be restricted to 0800 to 2400.

Representations received

Greater Manchester Police	GMP objected to the application on the grounds that the premises is situated in an area of high anti-social behaviour. GMP have proposed further conditions to uphold the licensing objectives.
Licensing & Out of Hours Compliance	LOOH objected to the application based on the grounds that the area that the premises is situated in attracts criminal behaviour and that the premises is situated close to other alcohol and food led businesses. LOOH have concerns that the application in its current form could lead to issues of public nuisance

Agreements between parties

Greater Manchester Police:

1. At least one member of SIA door staff positioned at the entrance shall wear and operate a body cam, The body cam shall be used to capture all incidents of crime and/or disorder and footage shall be stored for a minimum of 28 days and made available to Police and relevant authorities upon request
2. The NiteNet radio system shall be operated at the premises from 2100hrs each day. The management of the premises will ensure that the radio is switched on and working each day (*similar to condition 5 as proposed by LOOH*)

Licensing & Out of Hours Compliance:

1. The designated queueing area shall be enclosed within appropriate barriers to ensure that the footway is kept clear.
2. Any queue to enter the premises that forms outside the premises shall be kept orderly and supervised by licensed door supervisors to ensure that there is no public nuisance or obstruction to the public highway.
3. Whenever licensable activities continue after midnight, a minimum of 2 SIA registered door staff to be on duty no later than 22:00 – further door supervision based on a capacity of 1:100. They shall remain on duty until 30 minutes after the premises has closed and shall clearly display their SIA badges on their person at all times when on duty. Door staff will sign on and off duty in a book kept for that purpose and all entries shall be checked and signed by the DPS or their nominated deputy. An additional book shall be kept at the premises, which shall contain the full names, current addresses, dates of birth, badge number and up to date photograph of all door staff who work at the premises.
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 GMP or an authorised officer of the licensing authority.
5. 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.
6. All staff shall be trained in recognising signs of drunkenness and how to refuse service. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 12 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised office of Manchester City Council.
7. The premises shall display prominent signage indicating that it is an offence to sell alcohol to anyone who is drunk.
8. 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, and 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.

9. Staff training shall include procedures to deal effectively with emergency incidents including i) reporting an emergency to the relevant emergency service; ii) safe evacuation of customers; iii) dealing with terrorist threats or incidents.
10. The DPS shall ensure that tables are cleared of all bottles and glasses on a regular basis during trading hours to avoid an accumulation of glassware.
11. All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
12. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
13. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
14. At the end of trading each day, the pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept or washed, and litter and sweepings collected and stored in accordance with the approved waste storage arrangements.
15. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.

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