

AGREEMENT WITH TS

From: Bernard McMenamin <bernard.mcmenamin@manchester.gov.uk>
Sent: 08 June 2021 08:03
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Subject: FW: Representation from Trading Standards - The Pizza Room, "Unit D, Aldow Enterprise Park", Blackett Street (Ref - 258097GO)

Hi, this is the correspondence and agreement from the applicant to the conditions added from Trading Standards.

Regards

Bernard

From: [REDACTED]
Sent: 04 June 2021 16:55
To: Premises Licensing <Premises.Licensing@manchester.gov.uk>
Cc: Bernard McMenamin <bernard.mcmenamin@manchester.gov.uk>
Subject: Re: Representation from Trading Standards - The Pizza Room, "Unit D, Aldow Enterprise Park", Blackett Street (Ref - 258097GO)

Good afternoon,
we understand your concerns and we agree all the conditions please do not
hesitate to contact me at this number

[REDACTED]
Bests Regards

[REDACTED]
The Pizza Room

TRADING STANDARDS - REPRESENTATION

ABOUT YOU

PLEASE NOTE: LICENSING OFFICERS, LICENSING COMMITTEE MEMBERS AND THE APPLICANT CAN VIEW THE INFORMATION PROVIDED ON THIS FORM

Your first name (required)	Your last name (required)
Bernard	McMenamin
Your address including postcode (required)	
Trading Standards Service 1 Hammerstone Road Manchester M18 8EQ	
Contact email address	Contact phone no
Bernard.McMenamin@manchester.gov.uk	0161 234 1589

ABOUT THE PREMISES

Application Ref No. (if known):
LPA 258097
Name of the Premises about which you would like to make a representation:
The Pizza Room
Address of the Premises (including postcode if known):
Unit D Aldow Enterprise Park Manchester M12 6AE

YOUR REPRESENTATION

Please outline your representation below and continue overleaf. This should be the likely effect of the grant of the licence / certificate on the licensing objectives on and in the vicinity of the premises in question. (Please continue on a separate sheet of paper if necessary)

The Trading Standards Team have assessed the likely impact of the granting of this application taking into account a number of factors, including the conditions offered and times applied for and any potential risk that the granting of this application could lead to issues which do not uphold the licensing objectives specifically the protection of children from harm.

The application is for a dark kitchen situated in a commercial premise, on the outskirts of the city centre delivering food and alcohol for various delivery platforms.

When considering the application, the Trading Standards Team have given consideration to Manchester City Councils Statement of Licensing Policy 2016 – 2021 especially Section 9 Alcohol Delivery Services.

9.1 The authority considers there are particular risks associated with delivery services for Alcohol. The authority expects measures consistent with relevant standards expected for licensed premises outlined in section 8 of this policy in conjunction with the specific provisions of this section:

9.2 The authority expects operators to implement age-verification procedures at both the point of sale and delivery stages, with a Challenge 25 policy implemented at the point of delivery.

9.3 Particular attention should be paid to making it clear to customers that receipt of orders that contain alcohol must be by an adult. Retailers should ensure that delivery staff have been given appropriate training in procedures relating to requesting and identifying proof of age and

implement these procedures as standard.

9.4 Any promotional material including the name of the business and website should be consistent with the responsible sale of alcohol. Additionally, any website URL or telephone number to be used for orders is expected to be given to the licensing authority.

9.7 Where the authority's discretion is engaged following relevant representations, conditions restricting the operation of alcohol delivery services may be imposed by the authority where appropriate for the promotion of the licensing objectives.

The original application provides limited information. We take note in the application that there will be no access by the public to the premises.

Giving consideration to the above policy the Trading Standards Team therefore recommend that should the application be successful; the following conditions be attached the premises licence in order to promote the licensing objective for preventing children from harm:

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 HM Forces warrant card, or a card bearing the PASS hologram.
2. A message will be displayed on the website notifying customers of the Challenge 25 policy in place and that orders will not be left with any person under 18 years of age upon delivery and that the courier may request the recipient to produce satisfactory identification evidence to prove that they are at least 18 years of age.
3. All sales will be made through online sales only, there shall be no other means to place an order.
4. All staff engaged in the delivery of alcohol will be trained with regards to the Challenge 25 policy. This training will be documented, and training should be refreshed at no greater than 12 monthly Intervals. The Premises Licence holder shall also ensure that all employees of any third party engaged in the delivery of alcohol, i.e. couriers have also been trained by their employers regarding the Challenge 25 policy. This training should also be documented.
5. At the point of delivery, the Challenge 25 policy should be operated. The only ID that should be accepted is a passport, photo driving licence, PASS accredited proof of age card or military identification card.
6. The Premises Licence Holder will ensure that a sticker is applied to all consignments of alcohol. It shall read "Note to delivery service, this package contains age restricted products. Ensure recipient is over 18".
7. A log shall be kept and record all instances when a consignment of alcohol has not been delivered for the reasons that the person(s) is, or appear to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.

Any promotional material and/or any website homepage used as part of the business operating under this licence will clearly state the premises licence number. For the avoidance of doubt, this includes Flyers/leaflets/business cards promoting the business.

Supporting Evidence: In addition to your own written / oral testimony to the Licensing Sub-Committee, you may wish to provide evidence to support your representation. You will need to show how this evidence relates to the premises in question. Examples of supporting evidence include oral testimony, written testimony, noise records, video or photographic material, crime and disorder data, other statistical data, reports etc.)



Licensing & Out of Hours Compliance Team - Representation

Name	Mikolaj Czechanowski
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	Mikolaj.Czechanowski@manchester.gov.uk
Telephone Number	0161 234 1220

Premise Details	
Application Ref No	REF 258097
Name of Premises	The Pizza Room
Address	Unit D, Aldow Enterprise Park, Blackett Street, Manchester, M12 6AE

Representation
<p>Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.</p>
<p>The Licensing and Out of Hours (LOOH) Team have assessed the likely impact of the granting this application taking into account a number of factors, including the nature of the area, hours applied for and any potential risk that the granting of this could lead to issues related to <u>Protection of Children from Harm</u> and <u>Prevention of Public Nuisance</u>.</p> <p>In the view of the LOOH Team the applicant has not addressed sufficiently the potential issues likely to arise by operating within the location and not considered the impact it could have on local residents, nearby businesses and customers. The applicant also failed to provide a sufficient schedule to demonstrate responsible operation, appropriate conduct of deliveries of alcohol and upholding the licensing objectives</p> <p>As a result of this assessment we have concerns that the granting of this application in its current form is likely to lead to increased issues of <u>Prevention of Public Nuisance</u>, specifically relating to waste within vicinity of the premises and noise caused by delivery vehicles, and <u>Protection of Children from Harm</u> by potentially inappropriate management of the delivery service.</p> <p>We therefore propose attaching further conditions to the current application:</p> <ol style="list-style-type: none">1. 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:<ol style="list-style-type: none">a) any refusal of the sale of alcoholb) any visit by a relevant authority or emergency service2. All staff shall be trained in:<ol style="list-style-type: none">a) relevant age restrictions in respect of productsb) recognising signs of drunkennessc) how to refuse serviced) the premises' duty of caree) company policies and reporting proceduresf) the conditions in force under this licence

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.

3. A log (which may be electronically recorded) shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of Manchester City Council at all times while the premises are open.
4. The premises shall install and maintain a comprehensive digital CCTV system. All areas of the licensed premises including entry and exit points, and the street. The CCTV cameras shall continually record while the premises are open to the 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 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 that can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (ie. compact disc, flash card etc), a secure storage system to store those recording mediums shall be provided.
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 verify their identity against the notice.
6. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
7. All takeaway packaging and wrappers shall clearly identify the premises, ie. by way of company logo or name.
8. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.
9. Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address. This includes the avoidance of slamming doors, playing loud music, shouting, overrevving engines and sounding horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the delivery address and will park considerately without causing any obstruction to the highway.
10. All deliveries of alcohol shall only be delivered to a premises address with a valid postcode and will only be delivered directly to that property.
11. Customers must be instructed when placing the order that they will not be able to collect the order from the vehicle. All deliveries will only be made directly to the property address and customers will not be permitted to take orders from the vehicle.
12. The Challenge 21 scheme must be operated to ensure that any person who appears to be under the age of 21 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.

13. In addition to any other training, the premises licence holder shall ensure that all staff are trained to prevent underage sales, are aware of and prevent proxy sales, maintain the refusals log, and that they monitor staff to ensure their training is put into practice.
14. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
15. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a takeaway meal.
16. The premises licence holder shall provide the following information in writing to the licensing authority before any sale of alcohol is carried out:
 - a) The trading name of any company that will operate under the licence
 - b) All telephone numbers that will be used to accept orders
 - c) The URL/website address that will be used to accept orders

Any change to this information must be notified to the licensing authority within seven days.

17. All deliveries must be signed for by a person aged 18 and over and shall not be left unattended at the delivery address or left with a person under 18 years of age.
18. Last order for hot food and alcoholic drinks shall be made before 23:00.
19. Any promotional material and/or any website home page used as part of the business operating under this licence will clearly state the premises licence number. For the avoidance of doubt, this includes flyers, leaflets and business cards promoting the business.
20. There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.
21. Records of all orders and deliveries shall be maintained.
22. When placing a remote order for alcohol, a prompt shall appear/be provided to the customer which shall indicate to the customer that they cannot place an order for alcohol if they are under 18. The prompt shall also advise the customer that proof of age may be required at the point of delivery in accordance with the 'Challenge 21' Policy and that if they cannot produce identification to show that they are over the age of 18, the products shall not be delivered to them.
23. The terms and conditions on the app/website/any other platform used by the Premises Licence Holder shall indicate that, by ordering alcohol from the app/website/platform, the customer is confirming that they are at least 18 years of age. The terms and conditions shall also advise about the operation of the 'Challenge 21' Policy on delivery.
24. Each delivery driver shall maintain a refusals book which shall record the details of any refused deliveries and the reasons for these. These shall be made available to an officer of a responsible authority upon request.
25. The Premises Licence Holder will use a recognised provider of online age verification to prevent underage sales through the website and details of this will be made available to the Responsible Authorities upon request.

26. The Premises Licence Holder will only use the services of a courier company that has a policy in place not to deliver alcohol to persons under 18 years of age.
27. Each delivery containing alcohol shall be labelled "This item is NOT to be delivered to a person under 18 years of age".
28. Courier delivery of alcohol shall only be made to persons aged 18 and over with acceptable ID. Acceptable ID is a passport, driving licence or PASS hologram card.
29. If a person taking delivery is not aged 18 or over or ID is not available from the person taking delivery to prove their age the delivery will be returned to the depot or collection point.
30. When collecting a delivery from a delivery point the purchaser (or other person authorised by the purchaser) must attend with ID showing that the person collecting the parcel is aged 18 or over.

Recommendation: Approve with Conditions (Outlined Above)

GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	PC Alan Isherwood
Address including postcode	1 st Floor Manchester Town Hall Extension Lloyd Street Manchester
Contact Email Address	alan.isherwood@gmp.police.uk
Contact Telephone Number	0161 856 6017

About the Premises

Application Reference No.	LPA 258097
Name of the Premises	The Pizza Room
Address of the premises including postcode	Unit D, Aldow Enterprise park, Blackett Street, Manchester M12 6AE

Your Representation

Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the licence on the licensing objectives on and in the vicinity of the premises in question.

Please accept this as formal notification of the Greater Manchester Police objection to the premises licence in relation to the above premises on the grounds of Prevention of Crime and Disorder and the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.

The operating schedule which accompanies the application offers nothing in terms of enforceable conditions. It gives the impression that the applicant has a limited understanding of the Licensing Objectives, which raises concerns about how the premises will be operated.

The likely effect of the grant of the Premises Licence with such a scant operating schedule is that all 4 of the Licensing Objectives will be undermined.

We therefore ask that this application is refused.