

Licensing Act 2003 (Hearings) Regulations 2005

Reference: 259109
Name: Napoleons
Address: 35 Bloom Street, Manchester, M1 3LY
Ward: Piccadilly
Application Type: Premises Licence variation
Name of Applicant: Napoleon HL Ltd
Date of application: 27 May 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
<p>To amend the layout of the ground floor level to include karaoke booths as per the plans deposited with this application. There are to be no changes to layout made to any other floor level.</p> <p>No changes to licensed hours or activities are sought.</p>

Representations received	
Licensing & Out of Hours Compliance	<p>In the current form, the granting of the licence may undermine the Licensing Objectives, particularly the Prevention of Public Nuisance and, Protection of Children from Harm. To ensure these objectives are consistently promoted and the premises operate in a safe and diligent manner, LOOH have submitted a set of conditions to replace those in Annexes 2 and 3 of the currently issued licence.</p>

Agreements between parties

Licensing & Out of Hours Compliance:

All staff shall be well trained, and the training documented, and refreshed every 6 months in the following:

- a. Challenge 25;
- b. Proxy sales
- c. how to challenge and refuse intoxicated persons and record that refusal;
- d. the premises duty of care;
- e. recognising signs of drunkenness and customer vulnerability;
- f. perimeter and noise-sensitive noise assessments, and recording of those assessments;
- g. conditions of the licence;
- h. Licensing Act 2003 and Health and Safety at Work Act 1974;
- i. permitted forms of age identification;
- j. comprehensive fire safety, emergency incident procedures, reporting an emergency and evacuation training.

A) The Prevention of Crime and Disorder

1. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally leaving no blind spots.
2. Recorded CCTV images will be maintained and stored for a period of twenty-eight days and shall be produced to the Police or Licensing Authority upon request.
3. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
4. Any person left in charge of the premises must be trained in the use of any such CCTV equipment, and be able to produce CCTV images to an officer from a responsible authority upon request.
5. A minimum of two SIA registered door supervisors will be employed at the venue from 22:00 until closing time every Friday and Saturday night, every night over the Manchester Pride Festival and any night proceeding a Bank Holiday except for Christmas Eve and Christmas Day. The DPS will on an ongoing basis risk assess the need for door supervisors at other times when the venue is open.
6. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - (i) the number of door staff on duty;
 - (ii) the identity of each member of door staff;
 - (iii) the times the door staff are on duty.
7. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.
8. A refusals book will be maintained at the premises, and made available to an

officer of a responsible authority upon request.

9. 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 identification to verify their identity against the notice.
10. Karaoke rooms shall be waiter and/or waitress service only.
11. A designated person shall be responsible for each floor of the premises and will be responsible for ID and welfare checks in the karaoke rooms.
12. Photo ID shall be taken for every karaoke room booking from the lead occupant, at the time of booking or point of entry and kept in a paper or electronic format for no less than 28 days.
13. To attend 6 meetings of the Pub and Club Watch per year.
14. All bags shall be searched on entry to ensure that drugs and offensive weapons are not brought onto the premises by patrons.
15. Body searches shall be conducted as and when required. All body searches carried out on the premises shall be accurately recorded in a designated log book.
16. A zero tolerance drugs policy shall be operated at the premises.

B) Public Safety

1. A first aid box will be available at the premises at all times.
2. Regular fire and health safety risk assessments shall be carried out at the premises.
3. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
4. The premises shall maintain an Incident Log and public liability insurance.
5. All fire alarms, fire extinguishers, fire doors, emergency lighting, break-glass panels and firefighting equipment shall be in full working order and tested regularly, in line with the appropriate British Standard.
6. Emergency exit routes shall be completely clear of obstruction, non-slippery and in good lighting when any person is on the premises.
7. Regular inspections shall be made of the toilets and staff areas.

C) The Prevention of Public Nuisance

1. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
3. The exterior of the building shall be cleared of litter at regular intervals.
4. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
5. The inner set of double doors and all external windows shall be closed at 23:00 hours except for access or egress.
6. Doors and windows at the premises are to remain closed after 11pm, save for

access and egress.

7. A Dispersal and Smoking Policy will be implemented and adhered to (see attached).
8. The emptying of bins into skips, and refuse collections will not take place between 11pm and 7am.
9. All waste shall be properly presented and placed out for collection no earlier than 2 hours before the scheduled collection times if the waste is placed on the public highway.
10. No externally mounted speakers shall be operated from the premises.

D) The Protection of Children from Harm

1. A "Challenge 25" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of ID are photographic driving licences, passports, HM forces warrant cards, EU/EEA national ID card or similar document or a form of identification with the "PASS" hologram.
2. Staff training will include the Challenge 25 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.
3. Notices advising what forms of ID are acceptable must be displayed.
4. Notices must be displayed in prominent positions indicating that the Challenge 25 policy is in force.
5. No person under the age of 18 shall be permitted on the premises at any time the premises is 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