



## Licensing Act 2003 (Hearings) Regulations 2005

**Reference:** 259444  
**Name:** Cafe - Name TBC  
**Address:** 151 Fog Lane, Manchester, M20 6FJ  
**Ward:** Burnage  
**Application Type:** Premises Licence (new)  
**Name of Applicant:** Fog Lane Off Licence Ltd  
**Date of application:** 08 June 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**

The supply of alcohol for consumption both on and off the premises:  
Mon to Sun 11am to 10.30pm

Opening hours:  
Mon to Sun 7am to 10.30pm

#### **Steps to promote licensing objectives as given by the applicant:**

On first appointment, all staff employed at the premises will receive training on the Licensing Act 2003 including input on preventing underage sales, preventing sales of alcohol to people who are drunk and any other relevant matters. Training shall be regularly refreshed at no less than 6 monthly intervals. The training must be recorded and be accessible on the premises and made available for inspection upon request of a Police Officer or an authorised officer of the licensing authority or (in the case of online training) within 48 hours.

A register of refusals of alcohol will be maintained at the premises. The register will be made available for inspection by the Police and other responsible authority.

An incident register will be maintained at the premises and made available to the authorities on request.

Regular checks will be made by staff to the front of the property and rear to clear away used plates, cups, glasses and any litter from the area.

The premises will adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the age of 25, they will be asked for proof of their age, to prove that they are 18 years or older. The only forms of identification that will be accepted at the premises are a passport, UK photo-card driving licences, military ID & cards bearing the 'PASS' hologram.

## Representations received

Greater Manchester Police	GMP are concerned that the premises could become more of a bar, rather than a café which sells alcohol, and that the outside area could cause noise disturbance to nearby residents if allowed to be used until the times stated in the application.
Licensing & Out of Hours Compliance	OOH have concerns that additional conditions are required in order to uphold the Prevention of Public Nuisance Licensing Objective.

## Agreements between parties

Daniel Scoular (OOH) has agreed that, as both OOH and GMP have offered conditions regarding CCTV, the GMP condition 1 will be used on the licence rather than OOH condition 3.

### Greater Manchester Police:

1 The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record while the premises are open to the public 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 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.

2. Alcohol for consumption on and/or off the premises will only be sold ancillary to the purchase of food.

### Licensing & Out of Hours Compliance:

1 No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.

2 Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.

3 The premises shall install and maintain a comprehensive digital [colour] CCTV system. All public areas of the licensed premises, including all public entry and exit points, and the street environment will be covered, enabling facial identification of

every person entering in any light condition. The CCTV cameras shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of [28] days with the date and time stamping.

4 Management and staff shall undertake regular monitoring of noise levels at the nearest noise-sensitive locations. A record shall be kept of any monitoring, including the date, time and location of monitoring; the name of the monitor; and any action taken. Records shall be kept for no less than six months.

5 Notices shall be prominently displayed at the entrance and exit of the premises requesting patrons to respect the needs of local residents and leave the area quietly.

6 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.

7. A incident/refusals log shall be kept at the premises to record all refused sales of Alcohol. The log shall record the date and time of the refusal, the name of the member of staff who refused the sale and the reason for refusal. The log will be available on request by the police or an authorised officer of Manchester City Council.

8 All staff shall be trained in recognising signs of drunkenness, how to refuse service and the premises duty of care. 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, Regular checks will be made by staff to the front of the property and rear to clear away used plates, cups, glasses and any litter from the area.

#### **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