



## **Licensing Act 2003 (Hearings) Regulations 2005**

**Reference:** 256677  
**Name:** Soul and Surf  
**Address:** 48 Great Ancoats Street, Manchester, M4 5AB  
**Ward:** Piccadilly  
**Application Type:** Premises Licence (new)  
**Name of Applicant:** Simbiat Adeyemi Matesun  
**Date of application:** 30 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.

<b>Proposed licensable activities and opening hours to be granted</b>
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Provision of regulated entertainment (recorded music):
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Mon to Sun 11pm to midnight
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The supply of alcohol for consumption both on and off the premises:
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Mon to Sun 11am to midnight
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Opening hours:
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Mon to Sun 9am to midnight
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<b>Representations received</b>	
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Greater Manchester Police
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GMP comment that "The applicant has offered some conditions within the application but these need to be worded more robustly and extra conditions attached." GMP propose the conditions that they would want added to uphold the licensing objectives.
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Licensing & Out of Hours Compliance
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This objection comments that "Officers are not satisfied that the conditions offered are sufficient to uphold the four licensing objectives", and recommends adding conditions, Some of the
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	proposed conditions are similar to those offered by the applicant but re-worded.
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## Agreements between parties

### **Greater Manchester Police:**

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. The CCTV cameras shall continually record whilst 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.

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:

- (a) all crimes reported to the venue, or by the venue to the Police
- (b) all ejections of patrons
- (c) any incidents of disorder
- (d) any faults in the CCTV system
- (e) any visit by a relevant authority or emergency service
- (f) All refusals of sales of alcohol

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 enable to verify their identity against the notice.

The premises shall display prominent signage indicating at any point of sale, the entrance to the premises and in all areas where alcohol is located that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.

*In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log and monitor staff to ensure their training is put into practice. 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.*

**(LOOH team have proposed a similar condition. Please use composite condition at end in place of this wording)**

### **Licensing & Out of Hours Compliance:**

Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations

Regular premises safety checks shall be carried out by staff ensuring that emergency exits are clearly visible, unobstructed and well maintained. .

The DPS will prepare a risk assessment for the premises which will account for fire safety and will identify potential hazards posed to staff or members of the public, setting out precautions to manage the hazards. Risk assessments will be reviewed every 12 months and a copy of each risk assessment will be kept at the premises and be available for inspection by the licensing authority.

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

There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.

Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises

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

Patrons permitted to temporarily leave and then re-enter the premises, e.g. To smoke, shall not be permitted to take drinks or glass containers with them.

All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises (For the avoidance of doubt, this shall not prevent consumption in any delineated external area set aside for that purpose and under the control of the premises licence holder.)

No bottles, glasses or similar items may be disposed of in outside receptacles between the hours of 2300 and 0700.

The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public

No deliveries must be made to the premises between 2200 and 0700 hours.

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.

Staff shall be provided with comprehensive training in underage sales; recognising signs of drunkenness; how to refuse service; complying with the licence conditions; and obligations and offences under the Licensing Act that apply to the sale of alcohol.

*Staff training will include the Challenge 25 policy and its operation. Staff will 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. All training will be given to a new member of staff before they commence paid employment. (GMP have proposed a similar condition. Please use composite condition at end in place of this wording.)*

The premises shall display prominent signage indicating at any point of sale that the Challenge 25 scheme is in operation.

**Composite Condition:**

Staff training will include the Challenge 25 policy and its operation. In addition to any other training, the premises licence holder shall also ensure that all staff are trained to prevent underage sales, to be aware of and prevent proxy sales, to maintain the refusals log and monitor staff to ensure their training is put into practice. All training will be given to a new member of staff before they commence paid employment. 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.

**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