



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

**Reference:** 261211  
**Name:** Warehouse/Restaurant (Name TBC)  
**Address:** 4 Cross Keys Street, Manchester, M4 5BB  
**Ward:** Piccadilly  
**Application Type:** Premises Licence (new)  
**Name of Applicant:** Christopher Ford Mackenzie  
**Date of application:** 19 July 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**

Provision of regulated entertainment (recorded music) (indoors):  
Mon to Sun 11pm to 12 midnight.

Provision of late night refreshment (indoors):  
Mon to Sun 11pm to 12 midnight.

The supply of alcohol for consumption both on and off the premises:  
Mon to Sun 10am to 12 midnight.

Opening hours:  
Mon to Sun 10am to 12.30 am.

### **Representations received**

Greater Manchester Police

Concerns regarding the lack of conditions regarding SIA security, Nitenet and CCTV and the consequent effect on the four licensing objectives.

Trading Standards

Concerns regarding the lack of conditions relating to alcohol delivery and underage sales

	and the consequent effect on the protection of children from harm licensing objective.
Licensing & Out of Hours Compliance	Concerns regarding the prevention of public nuisance licensing objective due to the late terminal hour, the proximity of residential accommodation and a history of noise issues from nearby premises with an earlier terminal hour.

## Agreements between parties

### 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. 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.
2. 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.
3. 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.

### **The following conditions would apply when the premises is operating as a bar/restaurant:**

4. On a Thursday, Friday and Saturday SIA registered door staff shall be provided at a ratio of 1:100 from 2200hrs until 30 minutes after closing to assist with the orderly dispersal of customers. At all other time the requirement for door staff shall be risk assessed. Whilst on duty door staff shall wear high visibility arm bands.
5. 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.

6. SIA door staff shall actively monitor the smoking area and queues.
7. The NiteNet radio system shall be operated at the premises from 2200hrs each day. The management of the premises will ensure that the radio is switched on and working each day.

### **Trading Standards**

1. 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.
2. All staff engaged in the delivery/ click and collect 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 6 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.
3. 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.
4. 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".
5. 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.
6. 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.
7. The premises shall display prominent signage indicating at any point of sale, at the entrance to the premises and in all areas where alcohol is located that the Challenge 25 scheme is in operation.
8. The premises shall display prominent signage indicating at any point of sale that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.
9. 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, enter sales correctly on the tills so the prompts show as appropriate, and that they monitor staff to ensure their training is put into practice.
10. 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.

11. A log shall be kept at the premises to record all refused sales of alcohol for the reasons that the person(s) is/are, or appear(s) 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.

**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. No bottles, glasses or similar items may be disposed of in outside receptacles between 23:00 and 08:00 hours.
3. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
4. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
5. The exterior of the building shall be cleared of litter, of which is directly associated being from the premises, at regular intervals.
6. Patrons permitted to temporarily leave and then re-enter the premises, eg. to smoke, shall not be permitted to take drinks or glass containers with them after 23:00. This includes the outside area on the corner of Cross Keys Street and Cable Street.

**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