

Licensing & Out of Hours Compliance Team - Representation

Name	Steve Harrison
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	[REDACTED]
Email Address	[REDACTED]
Telephone Number	[REDACTED]

Premise Details	
Application Ref No	REF 263065
Name of Premises	Caprice
Address	Unit 1-2, 2 The Avenue, Spinningfields, Manchester, M3 3AE

Representation
<p>The Licensing and Out Of Hours Team have assessed the likely impact of the grant of this application, considering several factors, including the nature of the business, the proximity of residential properties, the hours applied for and the use of the large external seating area. The applicant has offered an operating schedule that indicates how the premises intends to operate. In order to fully uphold the four licensing objectives, I would like to strengthen some conditions and include some new conditions to the operating schedule. I believe that with the acceptance of these recommendations the premises will be in a good position to fully promote the four licensing objectives. (The changes to the operating schedule that I propose are written in red)</p> <p>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. Any private dining areas or rooms being used by members of the public shall also be fully covered. 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.</p> <p>2. SIA registered door-staff shall be employed at the premises at a ratio of 1:100 from 2100 hours on a Friday and Saturday until 30 minutes after closing to assist with the orderly dispersal of customers. Door staff shall wear high visibility arm bands. The need for door-staff shall be regularly risk assessed on an event by event basis and recorded by the Designated Premises Supervisor.</p> <p>3. A register of door staff employed at the premises shall be maintained and shall include</p> <ul style="list-style-type: none"> (i) The SIA badge number and full name of door staff on duty (ii) The times and date door staff are on duty

- (iii) Any breaks taken
- (iv) time of finishing

4. 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 or searching equipment or scanning equipment
- (e) any refusal of the sale of alcohol
- (f) any visit by a relevant authority or emergency service

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 enable to verify their identity against the notice.

6. 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.

7. 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, enter sales correctly on the tills so the prompts show as appropriate 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.

8. Substantial food shall be available at all times during the permitted hours.

9. A 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. Challenge 25 signage shall be prominently displayed at any point of alcohol sale.

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

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

12. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.

13. When amplified music is being played staff or management of the premises will conduct a perimeter check, before and during events to make sure any noise emanating from the building does not give rise to a public nuisance. All checks shall be recorded in writing and made available to an officer of the Council or GMP on request.

14. Customers must be moved through entrance/exit facilities as quickly and safely as possible.

15. Any queue to enter the premises that forms outside the premises shall be kept

orderly and supervised by staff to ensure that there is no public nuisance or obstruction to the public highway.

16. When leaving the venue, staff will direct customers to the nearest taxi ranks or other transportation away from the area.

17. The designated outside smoking area, as attached to the plan, (see new plan) shall have a maximum of 20 people smoking at any one time. There shall always be a member of staff monitoring the area when it's in use. Suitable waste receptacles shall be provided for cigarette waste. The area shall be cleaned of all waste at the end of trading each day.

18. No drinks or glass containers shall be allowed in the smoking area.

19. No external speakers shall be operated outside the premises after 23.00hrs

20. Any alcohol consumed in the outside area of the premises shall only be consumed by patrons when seated at tables.

21. Tables and chairs in the external ground floor seating area shall be placed in such a manner to prevent their use by customers after 23.00hrs.

22. The premises and immediate surrounding area shall always be kept clean and free from litter when the premises are open to the public.

23. No odour shall emanate from the building that gives rise to a nuisance.

Recommendation: Approve with Conditions (Outlined Above)

From: [REDACTED]

Sent: 23 September 2021 14:48

To: Premises Licensing <Premises.Licensing@manchester.gov.uk>; Steve Harrison

[REDACTED]
[REDACTED]

Subject: RE: REP Caprice, 2 Spinningfields Square, Manchester - New Premises Licence

Dear Both,

We have taken our clients instructions in relation to the attached representation and we can confirm that we are happy to agree all the additional and amended conditions in the attached document.

On this basis, I would be grateful, Steve, if you can please confirm that your objection will be withdrawn.

I look forward to hearing from you.

Best Wishes

[REDACTED]



Provision of late night refreshment: Both on and off the premises

Sunday to Wednesday 11pm to 2am

Thursday to Saturday 11pm to 3am

Seasonal Variations: From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

The supply of alcohol for consumption both on and off the premises:

- Sunday to Wednesday 10am to 2am
- Thursday to Saturday 10am to 3am
- Seasonal variations From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Opening hours:

- Sunday to Wednesday 8am to 2.30am
- Thursday to Saturday 8am to 3.30am
- Seasonal variation : From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

The use of Unit 1-2 as a restaurant bar serving alcohol from 10am onwards and with the ability to play recorded music indoors from 8am each day is anticipated to cause a significant nuisance to operation of [REDACTED]. This would not be consistent with the licensing objectives, particularly the prevention of public nuisance. If this application is successful it would cause a considerable noise and vibration pollution to our [REDACTED]. Such is the design of the building that the proposed outside seating area [REDACTED]. Further if recorded music is allowed to be played from 8am every day it will cause considerable nuisance to [REDACTED] concentration without disturbance by music from the premises [REDACTED].

We therefore invite you to take into account our very real concerns about the Caprice Unit and the impact it will have on [REDACTED]

Yours sincerely



