



## Licensing Act 2003 (Hearings) Regulations 2005

**Reference:** 263745  
**Name:** North West Theatre Arts Company  
**Address:** 270a Lightbowne Road, Manchester, M40 5HQ  
**Ward:** Moston  
**Application Type:** Premises Licence (new)  
**Name of Applicant:** Mr Prabhjeet Singh  
**Date of application:** 14/09/2021

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 (plays, films, recorded music, performances of dance and anything of a similar description to live music, recorded music or performances of dance):

Mon to Sun 11am to 10.30pm

The supply of alcohol for consumption on the premises only:

Mon to Sun 11am to 10.30pm

Opening hours:

Mon to Sun 10am to 11pm

### Representations received

The Trading Standards Service

The Trading Standards Service have expressed concerns over the applicant's ability to fully uphold and enforce the Licensing Objective relating to the protection of children from harm.

	Consequently so, additional conditions are being requested that relate to the 'Challenge 25 Policy' being fully implemented and enforced at the premises at all times licensable activities are being carried out/when the premises are open.
Licensing & Out of Hours Compliance	Due to concerns relating to the location of the premises and its proximity to residential premises, as well as the premises' ability to fully uphold and enforce the four Licensing Objectives, LOOH Compliance Team are requesting the imposition of additional conditions on to any subsequently granted premises licence that relate to the 'Challenge 25 Policy', and the installation of a CCTV security system at the premises.

### **Agreements between parties**

#### **The Trading Standards Service:**

1. The Challenge 25 scheme shall 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.
2. All staff engaged in the sale of alcohol shall be trained with regards to the Challenge 25 policy and sales by proxy. This training shall be documented, and training shall be refreshed at no greater than 6 monthly Intervals.
3. The Premises Licence Holder shall ensure that signage demonstrating the Challenge 25 policy as well as selling alcohol to children by proxy are placed at the entrance to the premises as well as being displayed in all areas serving alcohol.
4. A log shall be kept and record all instances when alcohol has been refused 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 shall 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.
5. The Premise Licence Holder shall also ensure regular checks are made around the inside and outside of the premises for underage persons encouraging adults to buy alcohol for them.

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

1. Alcohol shall not be sold, supplied or consumed on the premises

otherwise than to persons who are members of the audience for produced theatrical, or musical events and provided always that the consumption of alcohol by such persons is ancillary to the main activity of watching the theatrical or musical performance.

2. The premises shall display prominent signage indicating to customers that a Challenge 25 scheme is in operation on the premises and that it is an offence to for a person under 18 to buy or attempt to buy alcohol.
3. Any person who appears to look under 25 years old and who attempts to buy alcohol shall be asked to show one of the following identification documents:
  - a valid passport;
  - photocard driving licence;
  - HM Forces warrant card;
  - A card bearing the 'PASS' (Proof of Age Standards Scheme) hologram.
4. If such a person is unable to provide appropriate ID then the sale of alcohol shall be refused and the refusal recorded in a refusals log.
5. The log shall be kept at the premises in, either, electronic format and staff shall record all refusals to sell alcohol. The log shall record the date and time of the refusal; the reason for the refusal and the name of the member of staff who refused the sale. The log shall be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked regularly by the designated premise supervisor to ensure it is being used by staff and each check shall be recorded in the log.
6. The Premises Licence Holder shall ensure that, before being permitted to sell and serve alcohol, all staff are trained to prevent underage sales; in the operation of the Challenge 25 policy and how to record refusals in the refusals log. The training shall be a documented training programme and shall be refreshed at 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.
7. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
8. No noise shall emanate from the premises that gives rise to a nuisance.
9. The premises shall install and maintain a comprehensive digital CCTV system. All public areas of the licensed premises including all public entry and exit points, and the street environment, shall be covered, enabling facial recognition 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 minimum of 30 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 that can be played back on a standard personal computer or standard DVD player.

**(N.B. – LOOH Conditions 2, 3, 5, 6 & 7 duplicate in whole or part Trading Standard conditions 1, 2, 3 & 4 as also agreed with the applicant).**

**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