



## LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	050150
Granted	18/08/2005
Latest version	Corrections made 18/12/2018

### Part 1 - Premises details

<b>Name and address of premises</b>
<b>Factory 251</b> 118-120 Princess Street, Manchester, M1 7EN
<b>Telephone number</b>
0161 272 7251

<b>Licensable activities authorised by the licence</b>
<ol style="list-style-type: none"><li>1. The sale by retail of alcohol*.</li><li>2. The provision of regulated entertainment, limited to: Performance of plays; Exhibition of films; Live music; Recorded music; Performances of dance; Anything similar to live music, recorded music or the performance of dance.</li><li>3. The provision of late night refreshment.</li></ol> <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

<b>The times the licence authorises the carrying out of licensable activities</b>
---

<b>Sale by retail of alcohol</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1200
Finish	0300	0300	0300	0300	0400	0400	0300
The sale of alcohol is licensed for consumption both on and off the premises.							
<b>Seasonal variations and Non standard Timings:</b>							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day							

<b>Performance of plays; Exhibition of films</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	2300	2300	2300	2300	2300	2300	2300
Licensed to take place indoors only.							
<b>Seasonal variations and Non standard Timings:</b>							
None							

**Live music; Recorded music; Performances of dance; Anything similar to live music, recorded music or the performance of dance**

**Standard timings**

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0400	0400	0400	0400	0500	0500	0400

Licensed to take place indoors only.

**Seasonal variations and Non standard Timings:**

**New Year:** From the start time on New Year's Eve to the terminal hour for New Year's Day

**Provision of late night refreshment**

**Standard timings**

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0400	0400	0400	0400	0500	0500	0400

Licensed to take place indoors only.

**Seasonal variations and Non standard Timings:**

**New Year:** From the start time on New Year's Eve to the terminal hour for New Year's Day

**Hours premises are open to the public**

**Standard timings**

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0400	0400	0400	0400	0500	0500	0400

**Seasonal variations and Non standard Timings:**

**New Year:** From the start time on New Year's Eve to the terminal hour of New Year's Day.

## Part 2

**Details of premises licence holder**

**Name:** FAC251 Limited  
**Address:** C/O Kay Johnson Gee LLP, Second Floor, 1 City Road East, M15 4PN  
**Registered number:** 06161539

**Details of designated premises supervisor where the premises licence authorises for the supply of alcohol**

**Name:** Mr Mark Baker  
**Address:**  
**Personal Licence number:** NCC000CJ2513  
**Issuing Authority:** Newcastle City Council

**Annex 1 – Mandatory conditions**

**Door Supervisors**

1. Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: -
  - (a) Unauthorised access or occupation (e.g. through door supervision),
  - (b) Outbreaks of disorder, or
  - (c) Damage,unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.

## Supply of alcohol

2. No supply of alcohol may be made under this premises licence:
  - (a) At a time when there is no designated premises supervisor in respect of the premises licence or,
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
5.
  - (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
  - (2) For the purposes of the condition set out in (1) above–
    - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
    - (b) “permitted price” is the price found by applying the formula–
$$P = D + (D \times V)$$
where –
      - (i) P is the permitted price,
      - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
      - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4)
  - (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
- 6.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 8. The responsible person must ensure that –
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

For the purposes of conditions 6, 7 and 8 above, a responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

## **Exhibition of films**

9. The admission of children under the age of 18 to film exhibitions permitted under the terms of this certificate shall be restricted in accordance with any recommendations made:
  - (a) by the British Board of Film Classification (BBFC) where the film has been classified by that Board, or
  - (b) by the Licensing Authority where no classification certificate has been granted by the BBFC, or where the licensing authority has notified the club which holds the certificate that section 20 (3) (b) (74 (3)(b) for clubs) of the Licensing Act 2003 applies to the film.

## **Annex 2 – Conditions consistent with the operating schedule**

1. The above time restrictions in relation to the hours for the sale of alcohol do not prohibit:
  - (a) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
  - (b) The sale of alcohol to a trader or club for the purposes of the trade or club;
  - (c) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
  - (d) The taking of alcohol from the premises by a person residing there; or
  - (e) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
2. All external windows and doors shall be closed after 2300, except for emergency (fire doors) and access/egress (non fire doors).
3. No external speakers shall be operated from the premises.
4. A tamper-proof noise limiter is to operate on the top floor of the premises and is to be set at a level agreed by Pollution Control.
5. The premises shall become a member of, and maintain its membership of, the local Pub Watch Scheme.
6. Alcoholic and other drinks shall not be removed from the premises in open containers.
7. A CCTV system shall be installed at the premises. The CCTV system shall be maintained and operated during all hours that the premises are open to the public. Recorded images will be retained for 30 days.
8. The premises shall implement an incident book and ensure all incidents of crime and disorder shall be logged.
9. Fire fighting equipment shall be maintained and serviced according to the manufacturer's instructions.
10. Refuse shall not be emptied into external receptacles between the hours of 0230 and 0700.
11. Management shall ensure regular external checks are carried out for noise nuisance when the premises operate after 0200.
12. Prominent, clear and legible notices shall be displayed at all exits requesting that patrons respect local residents and leave the premises and the area quietly.
13. Anyone who appears to be under the age of 18 and who is attempting to buy alcohol must be required to produce satisfactory "proof of age" that they are over the age of 18 such as a passport, photo card driving licence or citizen card before such a sale is made.

14. A prominent notice detailing the premises age restriction policy shall be displayed outside the premises.
15. Staff shall conduct a thorough inspection of the premises after closing time to ensure that no patrons remain on the premises. This inspection is to include the toilet/rest room areas. These daily inspections are to be recorded in a log which is dated and initialled and are to be made available to authorised persons from responsible authorities.
16. An effective search policy (agreed in writing with GMP within 2 weeks of the variation) shall be implemented, this search policy shall include the use of a hand held metal detector wand and a conspicuous and legible notice shall be displayed near the entrance advising customers who refuse search shall be declined entry.
17. The premises shall install and maintain and maintain a comprehensive digital colour CCTV system.
  - (a) All public areas of the licensed premises, including all public entry and exit points and the street environment shall be covered, enabling facial identification of every person entering in any light condition.
  - (b) The CCTV cameras shall continually record whilst the premises are open to the public and kept available and unedited for a minimum of 28 days with the date and time stamping.
  - (c) 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 formal officer or an authorised officer of the licensing authority.
  - (d) Any footage shall 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 these recording mediums shall be provided.

### **Annex 3 – Conditions attached after hearing by the licensing authority**

1. No noise shall emanate from the premises so as to cause a noise nuisance at the nearest noise sensitive properties.
2. Regular external noise monitoring shall take place at regular intervals. Written records shall be maintained to include details of any corrective action and made available to authorised officers of Manchester City Council or greater Manchester Police on request.
3. As a minimum requirement, SIA licensed door supervisors shall be employed at the premises at a ration of 1:100 customers.
4. A written record shall be kept on the premises by the designated premises supervisor or every person employed on the premise as a door supervisor in the register kept for that purpose. That record shall contain the following details:
  - (a) The door supervisor's name, date of birth and home address;
  - (b) His/her security industrial authority number;
  - (c) The time and date he/she starts and finishes duty;
  - (d) The time of any breaks taken while on duty
  - (e) Each entry shall be signed by the door supervisor
5. The register shall be available for inspection on demand by an authorised officer of the Council, the security industry authority or a police constable.
6. Documented staff training shall be given to all staff concerned in the sale of alcohol, and this training shall include underage sales and drunkenness, and shall be repeated every three to four months. Members of staff who have passed an approved course dealing with the protection of children from harm shall be exempt from this requirement.
7. Door supervisors employed at the premise shall wear high visibility jacket/tabards whilst on duty.

8. A dispersal plan shall be implemented at the premise which includes:
  - (a) Notices and posters displayed at the premise asking customers to disperse quietly from the premise.
  - (b) Door supervisors actively encouraging customers to disperse quietly.
  - (c) Arrangements with local taxi firms in order to provide taxis for customers as they leave the premises.
  - (d) Monitoring of noise emanating from the premises at regulated intervals.
  - (e) The availability of the designated premises supervisor or other nominated person when the premises are open to discuss any noise issues that become apparent.
  - (f) Disallowing entry or to remain in the premises any person who is notified by Greater Manchester Police to be the designated premises supervisor as being a person of bad character.
9. The venue shall close by 2230 and then re-open at 2300 for nightclub use.
10. Only one bar shall be in operation selling alcohol and a personal licence holder shall be present to authorise sales.
11. All drinks shall be decanted into flexible plastic receptacles.
12. All tickets shall include entry conditions.
13. A full risk assessment with an Event Manager Policy (to include a designated safe area for those under 18s refused entry to be held until collected by parents) shall be submitted to City Safe a minimum of 28 days prior to the event.
14. Key members of staff who come into contact with under 18s shall be required to complete the Level 1 Manchester Basic Awareness Safeguarding Children E-learning Course.
15. Each event shall be risk assessed and, based on ticket sales, appropriate staff members shall be provided to ensure the safeguarding of children.
16. A dedicated member of staff shall be appointed to have overall responsibility for the welfare of children attending at 14+ events and such person, whether a Personal Licence Holder or otherwise, shall have obtained a Criminal Record Bureau Certificate.

#### **Annex 4 – Plans**

See attached