



## LICENSING ACT 2003 PREMISES LICENCE

<b>Premises licence number</b>	254532
<b>Granted</b>	01/02/2021
<b>Latest version</b>	DPS Variation 262523 granted 31/08/2021

### Part 1 - Premises details

<b>Name and address of premises</b>
<b>Dr. Miao</b> 47-49 Bloom Street, Manchester, M1 3LY
<b>Telephone number</b>
0161 923 4819

<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 late-night refreshment.</li></ol> <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

### The times the licence authorises the carrying out of licensable activities

<b>Sale by retail of alcohol</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1130	1130	1130	1130	1130	1130	1130
Finish	2300	2300	2300	2300	2300	2300	2300
The sale of alcohol is licensed for consumption both on and off the premises.							
<b>Seasonal variations and Non-standard Timings:</b>							
None							

<b>Provision of late-night refreshment</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0500	0500	0500	0500	0500	0500	0500
Licensed to take place outdoors only.							
<b>Seasonal variations and Non-standard Timings:</b>							
None							

<b>Hours premises are open to the public</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1130	1130	1130	1130	1130	1130	1130
Finish	0500	0500	0500	0500	0500	0500	0500
<b>Seasonal variations and Non-standard Timings:</b>							
None							

## Part 2

Details of premises licence holder	
<b>Name:</b>	Oh Drink Ltd
<b>Address:</b>	47-49 Bloom Street, Manchester, M1 3LY
<b>Registered number:</b>	11708692

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
<b>Name:</b>	Shufang Chen
<b>Address:</b>	[REDACTED]
<b>Personal Licence number:</b>	PA081065
<b>Issuing Authority:</b>	Trafford Metropolitan Borough Council

Annex 1 – Mandatory conditions	
<b>Door Supervisors</b>	
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.
<b>Supply of alcohol</b>	
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) “value 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.

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

- 1) All staff engaged in licensable activity at the premises shall receive training and information in relation to the following:
  - a) the 'Challenge 25' Policy, including the forms of identification that are acceptable;
  - b) the hours and activities and conditions permitted in the premises licence;
  - c) how to complete and maintain the refusal register in operation at the premises;
  - d) recognising the signs of drunkenness;
  - e) the operating procedures for refusing service to any person who is drunk, underage or appears to be underage, or appears to be making a proxy purchase;
  - f) action to be taken in the event of an emergency, including reporting an incident to the emergency services.
- 2) Training shall be recorded in documentary form and shall be regularly refreshed every year. Training records shall be made available for inspection.
- 3) We shall adhere to the Portman Group Code of Practice for the promotion of alcoholic drinks and follow the Home Office guidance on selling alcohol responsibly. A drink, its packaging and any promotional material or activity shall not in any direct or indirect way appeal to under 18s or incorporate images of people who are or look as if they are under 25 years of age where there is any suggestion that they are drinking alcohol.
- 4) There shall be a responsible trained person on duty at the premises at all times when the premises are open and selling alcohol.
- 5) Potable water shall be available for all customers.
- 6) We shall not seek custom by means of personal solicitation outside or in the vicinity of the premises or charge a tariff for late night refreshment.
- 7) An incident log shall be kept and maintained at the premises which shall include the time and date of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. The logs shall be kept for at least 12 months following the date of entry and be made available for inspection.
- 8) Open containers of alcohol shall not be removed from the premises.
- 9) All alcohol on display shall be in such a position so as not to be obscured from the constant view of staff.

- 10) A written drugs policy shall be in place and operated at the premises. It shall detail the actions taken to minimise the opportunity to use or supply illegal substances within the premises. The policy shall be made available for inspection.
- 11) The CCTV system is monitored and operated by the Designated Premises Supervisor. The premises shall operate 5 CCTV cameras: 3 on the Ground Floor (1 located at the front entrance door, 1 at the main serving counter, 1 at the rear door) and 2 on the First Floor. The system shall be registered with the Information Commissioners Office (ICO) and the premises shall operate a CCTV GDPR policy. This policy shall be made available for inspection. The CCTV system shall be fully compliant with the guidance contained in the ICO guidance document. Clear signage stating that CCTV is operating at the premises shall be displayed.
- 12) The Designated Premises Supervisor shall ensure participation in any Pub Watch or similar scheme operating in the locality and shall attend any meeting convened by the Police to discuss matters relating to the premises.
- 13) In the absence of adequate daylight, artificial lighting in any area accessible to the public shall be fully operational whilst the public are present.
- 14) All exits/entrances shall be kept clear at all times.
- 15) The collection of glasses and bottles shall be undertaken at regular intervals to ensure there is no build-up of empties in and around the premises.
- 16) Regular/ongoing Health & Safety risk assessments shall be conducted to identify and deal with hazards that may involve tripping, manual handling, electric shock, hazardous substances, etc.
- 17) Regular/ongoing Fire risk assessments shall be conducted.
- 18) A logbook shall be maintained to show that regular checks have been carried out.
- 19) Staff shall be advised of the findings from the risk assessments during training.
- 20) All designated escape routes and exits shall be maintained and kept free from obstructions.
- 21) All exits to the premises shall be clearly identified.
- 22) All regulatory checks of fire extinguishers and smoke detectors shall be in place.
- 23) Fire alarm activation points shall be situated at the front and rear doors, first and second floors and the basement.
- 24) All portable equipment shall be kept in good working order and tested regularly.
- 25) The premises shall maintain a first-aid box and accident book. The Designated Premises Supervisor and a full-time member of staff shall be 'Emergency First aid at Work' and defibrillator trained.
- 26) All internal and external doors, fixtures and fittings, lighting and emergency lighting shall be kept in good working order and regular checks made.
- 27) A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours in the surrounding vicinity.
- 28) Clear and legible notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and to leave the vicinity as quickly and quietly as possible.
- 29) No deliveries (in relation to licensable activities) to the premises shall take place between 18:00 hours and 07:00 hours.
- 30) No collections of waste or recycling materials (including bottles) from the premises shall take place between 18:00 hours and 07:00 hours on the following day.
- 31) All waste shall be properly presented and placed out for collection. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 22:00 hours and 07:00 hours on the following day.
- 32) A sufficient number of suitable receptacles shall be located in appropriate locations for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter by customers.

- 33) A telephone number shall be made available for neighbours and local residents to contact in the case of noise-nuisance or anti-social behaviour by persons or activities associated with the premises. The telephone number shall be a direct number to the named Designated Premises Supervisor. A record shall be kept by management of all calls received, including the time, date and information of the caller, including action taken following the call. Records shall be made available for inspection and copying by an authorised officer of a responsible authority throughout the trading hours of the premises.
- 34) All external doors and windows shall be kept shut at all times when the premises are open/during regulated entertainment except for entry and egress.
- 35) Taxi operator's telephone numbers shall be advertised to customers. The operators shall be advised that drivers should arrive and depart as quietly as possible, should not sound vehicle horns as a signal of their arrival or leave engines idling unnecessarily.
- 36) No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated. Ventilation equipment shall be regularly cleaned and maintained to control the levels of odour generated by the premises.
- 37) We shall ensure all staff leave the premises quietly at the end of their shifts so as to avoid causing disturbance or nuisance to local residents.
- 38) The outside area shall be regularly swept and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
- 39) All packaging provided with take away food shall be marked to show its point of origin.
- 40) All bar staff, supervisors and managers shall be trained in the legality and procedure of alcohol sales to Level 1 Responsible Alcohol Retailing Training or similar. All training shall be signed and documented. Training records shall be kept on the premises and be made available for inspection. The documentation relating to training shall extend back to a period of three years and shall specify the time, date and details of the persons both providing the training and receiving the training.
- 41) There shall be in place a written age verification policy in relation to the sale or supply of alcohol, which shall specify a Challenge 25 policy. The poster shall be on display. All staff working at the premises shall ask individuals who appear to be under 25 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents shall be:
  - a) a photocard driving licence;
  - b) a passport;
  - c) an identification card carrying the 'PASS' hologram.

Unless such identification is produced the sale of alcohol shall be refused.

- 42) The age verification policy shall include documented steps taken to prevent adults from purchasing alcohol for or on behalf of children under 18 (proxy sales).
- 43) An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register shall include the date and time and reason for refusal, details of the person refusing the sale and description of the customer. The refusals register shall be made available for inspection.
- 44) Children over 16 years of age shall be allowed unaccompanied on the premises, under 16's shall be accompanied by an adult over 18 years of age.
- 45) No children under the age of 18 years of age shall be allowed on the premises after 2100 hours.
- 46) All staff with a responsibility for supplying or selling alcohol shall be vigilant in preventing adults buying alcohol on behalf of persons who are under 18 years of age and shall refuse such sales where they suspect that this may be about to occur.
- 47) Our website shall have a tick box at the point of sale for confirmation of age. Particular attention shall be paid to ensure that the receipt of orders that contain alcohol must be by an adult.
- 48) Delivery drivers shall check all ID for any customers who appear to be under the age of 25 years of age, to confirm the customer is over 18 years of age.

- 49) Our policy requires individuals who appear to the delivery drivers (responsible persons) to be under 25 years of age to produce on request, before the order is delivered, identification bearing their photograph, date of birth and a holographic mark.
- 50) If there is no-one at the delivery address who is 18 years of age and over, we shall leave notification of our visit and shall return the delivery to the shop. Personal details shall be retained to comply with Licensing Act 2003 (name and address). Card details will never be stored electronically.

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

- 1) SIA registered door staff shall be on duty at the premises from 2200 hours until close every Friday and Saturday, on every day preceding a Bank Holiday and on each day of the Pride Festival. At all other times the requirement for door staff shall be determined in accordance with a risk assessment carried out by the DPS. When employed door staff shall wear hi-vis armbands.
- 2) When employed, a register of those door staff employed shall be maintained at the premises and shall include:
  - a) the SIA number of door staff on duty;
  - b) the identity of each member of door staff;
  - c) the times the door staff are on duty.
- 3) From 2200 hours each day the NiteNet radio system shall be operated at the premises.
- 4) At least one member of door staff situated at the entrance to the premises shall wear and use a bodycam to capture incidents of violence and/or antisocial behaviour.

### **Annex 4 – Plans**

See attached