



## Licensing Act 2003 (Hearings) Regulations 2005

**Reference:** 232615  
**Name:** Sushi Marvel  
**Address:** 90 Oldham Road, Manchester, M4 5EB  
**Ward:** Ancoats and Beswick  
**Application Type:** Premises Licence (new)  
**Name of Applicant:** Harley's Unicorn Ltd  
**Date of application:** 04/06/2019

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

The supply of alcohol for consumption both on and off the premises:  
Mon to Sun 12noon to 10pm

Opening hours:  
Mon to Sun 12noon to 10pm

### Representations received

Greater Manchester Police	The applicant has offered conditions within the Operating Schedule but they need to be worded more robustly to best demonstrate how the licensing objectives will be upheld. GMP propose conditions that they would wish to see attached to the licence to uphold the objectives.
Licensing & Out of Hours Compliance	The application is likely to cause public nuisance for local residents arising from: Litter from patrons leaving premises; noise from congregation of late night patrons; noise and

	fumes from premises' operations; Impact of deliveries and refuse collection. LOOH propose conditions to address these concerns.
Trading Standards Service	The operating schedule does not show sufficient detail to show how the company will protect children from harm – it does not indicate how Challenge 25 will be operated and what staff training will consist of or how it will be documented, what signage will be displayed, or whether a refusals log will be kept. Conditions are proposed to address these concerns.

## 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. 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
  - (e) any visit by a relevant authority or emergency service
  - (f) all refusals of sales of alcohol
3. 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.
4. 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.

5. 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. **(duplicate of Trading Standards condition 4 – include Trading Standards condition as it has additional wording)**
6. 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. **(duplicate of Trading Standards condition 5 – include Trading Standards condition as it has additional wording)**

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

1. No noise shall emanate from the premises that gives rise to a nuisance.
2. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.
3. All waste shall be properly presented and placed for collection and refuse collections shall not take place between 18:30 and 08:00 hours.

#### **Trading Standards Service**

1. The 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 of a passport, photo card driving licence, an HM Forces warrant card bearing the PASS hologram.
2. The premises shall display prominent signage indicating at the entrance to the premises and in all areas where alcohol is located that the Challenge 25 scheme is in operation.
3. A log shall be kept at the premises and record all refused sales of alcohol 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.
4. 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.
5. 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.
6. The premises shall display prominent signage indicating at any point of sale and at the entrance to the premises that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18 (duplicate of GMP condition 4 – include GMP condition as it includes additional wording)

**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