

TRAFFORD COUNCIL

Report to: Licensing Sub-Committee
Date: 20 April 2021
Report for: Decision: Determination of Application
Report of: Head of Regulatory Services

Report Title

APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE UNDER S17 LICENSING ACT 2003 AT TOTTIES, THE CAUSEWAY, ALTRINCHAM, WA14 1DE.

Summary

Under S18(4) of the Licensing Act 2003, Members are requested to determine an application for a new premises licence in respect of Totties, The Causeway, Altrincham, WA14 1DE having regard to representations received and the requirement to promote the four licensing objectives.

Recommendation(s)

The following options are open to the Licensing Sub-Committee;

- (i) To grant the application in full and on the terms and conditions contained within the application to include any applicable mandatory conditions.
- (ii) To grant the application as above, modified to such an extent as considered appropriate to satisfy any relevant representations and promote the licensing objectives; or
- (iii) To reject the application.

Contact person for access to background papers and further information:

Name: Jade Pickup, Licensing Officer.
Contact: Licensing@trafford.gov.uk

Background Papers: None.

Appendices:
A) Application for a New Premises Licence
B) Photograph of Blue Notice & Copy of Newspaper Advert
C) Previous licence
D) Representations

1.0 APPLICATION

1.1 A premises licence is required in respect of any premises where it is intended to conduct one or more of the four licensable activities, these being:

- The sale of alcohol
- The supply of alcohol (in respect of a club)
- Regulated entertainment
- The provision of late night refreshment

This application was submitted by Jonathan Dodd, in respect of Totties, The Causeway, Altrincham, WA14 1DE.

1.2 The applicant has applied for the following hours:

Recorded Music - Indoors

Monday – Sunday 20:00 – 03:00

Dance - Indoors

Monday – Sunday 20:00 – 03:00

Late Night Refreshment - Indoors

Monday – Sunday 20:00 – 03:00

Alcohol – On

Monday – Sunday 20:00 – 03:00

Opening Hours

Monday – Sunday 20:00 – 03:00

1.3 The application has been properly made and all procedures correctly followed. The application including amended operating schedule has been attached as **Appendix A**. Photographs of the blue notice in place and copy of newspaper advert are attached as **Appendix B**.

2.0 BACKGROUND AND HISTORY OF PREMISES

2.1 The premises has previously been licensed, but this lapsed due to the death of the licence holder. This has been attached as **Appendix C**

2.2 The applicant has described the premises as: “a well-established club in the centre of Altrincham that has been operating for 15+ years. My father who was the previous premises license holder has passed away so i am applying for a new one in line with council policy. The club is situated on the second floor with access via the causeway. There is a bar at the back of the club, with roughly seating for 50 customers. The club also includes a dance section with a pole strictly for the use of employees only. There is an emergency exit at the back of the club, a supply room and office and a staff room.”

3.0 OPERATING SCHEDULE

3.1 The operating schedule is completed by the applicant and contains additional measures to illustrate how they propose to promote the four licensing objectives as required by provision of the Licensing Act 2003. They are listed below and will be attached as conditions to any licence as may be granted:

1. Door staff will operate at the club only on weekends and when we expect it to be busy due to other circumstances and will assure safety and that only customers above the age of 18 are allowed access.

2. CCTV will operate inside and outside the premises which will deter crime, we will help assist the authorities if any incidents occur.

3. Regular safety checks will be carried out throughout the club.

4. An incident log (which may be electronically recorded) will 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:

(i) All alleged crimes reported to the venue or by the venue to the police

(ii) All ejections of patrons

(iii) Any complaints received

(iv) Any incidents of disorder

(v) Seizures of drugs, offensive weapons, fraudulent ID or other items

(vi) Any faults in the CCTV system, searching equipment or scanning equipment

(vii) Any refusal of the sale of alcohol

(viii) Any faults in the CCTV system, searching equipment or scanning equipment

(ix) Any visit by a responsible authority or emergency service

(x) The times on duty, names and the licence numbers of all

licensed door supervisors employed by the premises.

5. The club and all members of staff working behind the bar will use a challenge 25 system and will be trained to know what constitutes as legal identification to prevent underage sales.

6. The club will have full CCTV inside and outside the club which deters any criminal behaviour.

7. The premises will not sell any beer, lager, or cider that is equal to or greater than 6% ABV.

8. We will not sell single cans of beer, lager or cider.

9. Door supervisors will be present at weekends, and if there is any particular occasion in which we deem there to be a likelihood of more customers on a weekday, we will have 2 doormen operating together and that will always be under the 1 doorman per 100 customer ratio.

10. Door staff will be SIA registered.

11. Door staff will have radios to contact the bar manager, as they are located downstairs at the premises, and will also regularly check the bar floor.

12. Door staff will sign in upon arrival and will note their badge numbers.

13. CCTV will be operational operated throughout the club:

(i) CCTV cameras are located within the premises to cover all public areas including all entrances and exits.

(ii) The system will record clear images permitting the identification of individuals.

(iii) The CCTV system will be able to capture a minimum of 24 frames per second and all recorded footage will be securely retained for a minimum of 28 days.

(iv) The CCTV system will operate at all times while the premises are open for licensable activities.

(v) All equipment will have a constant and accurate time and date generation.

(vi) The CCTV system will be fitted with security functions to prevent recordings being tampered with, i.e. password protected.

(vii) There will be members of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).

(viii) A staff member from the premises who is conversant with the operation of the CCTV system will be on the premises at all times when the premises are open. This staff member must be able to provide a police officer or authorised council officer copies of recent CCTV images or data with the minimum of delay when requested.

14. The club will have two signs one upon entry of the club and one upon entry of the toilet stating our zero tolerance approach to drug use in the property.

15. There will be a lockable box which only the DPS can access upon the venue and the contents when emptied will be given to the Greater Manchester Police for proper disposal.

16. Regular safety checks will be taken throughout the club and any dangers amended immediately.

17. If customers have had too much to drink, staff are trained and will refuse service in their safety interest.

18. In case of emergencies there will always be one competent member of staff able to offer an adequate and appropriate level of first aid and a fully stocked first aid kit will always be on site.

19. Regular noise checks will be taken outside and measures will be taken within the premises in order to stop any public nuisance. We will stop serving alcohol half an hour before we close and the door staff will disperse people from lingering outside the club.

20. Deliveries will be at a regular time each week during normal working hours during the day and will safely stop in our loading bay right outside the premises, they will have access to the Licence Holder's contact number.

21. There will be bins provided for cigarette butts in smoking areas.

22. A cleaner will come in at 6am and will ensure that there is no litter from the premises.

23. Empty bottles will be stored in a locked bin outside the club for collection.

24. No children will be able to enter the premises.

25. Door supervisors shall use their best endeavours to remind patrons to leave in a quiet and orderly manner.

26. A sign shall be located at the exit(s) requesting that customers leave the premises quietly and with consideration to the neighbours.

27. No external speakers shall be operated from the premises.

3.2 The below conditions have been agreed between the applicant and the Trading Standards Officer and shall be attached to the licence if granted:

28. CCTV to be installed and maintained in working order. CCTV images to be retained for 28 days and produced to Authorised Officers of Trafford Council and police immediately upon request. CCTV equipment to be checked at the commencement of the trading day. If the CCTV is not working no sale of alcohol may take place until such times as the equipment is working.

29. Challenge 25 scheme to be operated at the premises. Challenge 25 posters to be clearly and prominently displayed.

30. A refusal log is to be kept to record dates and times of all refusals to entry and alcohol to underage persons. A copy of the Refusals Log will be made available immediately upon request of Authorised Officers of Trafford and GMP.

31. To provide training, at least every six months, to existing staff, on the law relating to underage sales of alcohol. To provide training for all new staff on the sale of age restricted products. To inform all staff of changes in the law relating to age-restricted products as and when required. To keep written records of all training provided in respect to the law relating to underage sales of alcohol. Staff to sign and date records to confirm that the training has been received and understood.

32. To attend training seminars organised by any responsible person as and when requested to do so.

33. To notify staff of any reports of alleged underage sale incidents that have been brought to your attention by officers of Trafford Council. To keep a log of such notifications on file, ready for inspection by authorised officers of Trafford if required. To record any remedial action following a report from Trading Standards of an alleged underage sale from the premise. To produce a copy of the 'Record of Remedial Action' if requested by an authorised officer of Trafford Council

4.0 CONSULTATION

4.1 The responsible authorities included in consultation are; Greater Manchester Police, Greater Manchester Fire & Rescue, Environmental Health & Pollution Control, Building Control, Health and Safety Team, Home Office Immigration Enforcement, Planning Department, Safeguarding Children Team, Trading Standards and Public Health.

4.2 Of those consultees identified in paragraph 4.1, no representations were received.

4.3 A representation from two local residents have been received in respect of noise pollution, attached as **Appendix D**.

4.4 A copy of the report and the representations received have been sent to the applicant.

4.5 Those that have made a representation have been informed of the time and date of the Licensing Sub-Committee meeting and have been informed of their right to attend.

5.0 LEGAL CONSIDERATIONS

- 5.1** Conditions may only be attached to a Premises Licence where they are deemed appropriate for the promotion of the licensing objectives. They must be proportionate and not duplicate any existing provisions contained in other legislation. The justification behind a refusal or the attachment of conditions must be given to the applicant.
- 5.2** The Sub-Committee is advised that any findings on any issues of fact should be on the balance of probabilities and any decision should be based on the individual merits of the application.
- 5.3** The Sub-Committee, in arriving at its decision; must have regard to relevant provisions of national guidance and its own statement of licensing policy and reasons should be given for any departure.
- 5.4** There is a right of appeal to the Magistrates Court within 21 days from the date the Applicant is notified of the decision of the Licensing Sub-Committee.