



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 19 June 2023

Time: 10.00 am

Venue: Council Antechamber, Level 2, Town Hall Extension

This is a **third supplementary agenda** containing additional information about the business of the meeting that was not available when the agenda was published

### **Access to the Council Antechamber**

Public access to the Council Antechamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension.

**There is no public access from any other entrance of the Extension.**

## **Membership of the Licensing Sub Committee Hearing Panel**

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**Councillors** - Andrews, Evans and Hewitson

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## Further Information

Ian Smith  
Tel: 0161 234 3043  
Email: [ian.hinton-smith@manchester.gov.uk](mailto:ian.hinton-smith@manchester.gov.uk)

This supplementary agenda was issued on **Friday, 16 June 2023** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

# ENTRANCE & DISPERSAL MANAGEMENT POLICY

In order to fully comply with our licensing obligations, and act on information from local residents – Area has introduced a new Dispersal Policy. This comprehensive new policy is outlined below. Area can operate up to two events at one time, meaning it is essential that all managers and staff are aware of this document.

This policy was last reviewed on **1-Feb-2023**

## Venue Entrances & Exits

Entrance	Street	Access to	Queuing Procedures	
			Opening	Closing
<b>Area Main</b>	50 Sackville Street	Staff Customers	1 parallel queue against the wall towards Canal Street	1 queue towards Canal Street to discourage people staying outside the venue
<b>Area Basement</b>	50 Sackville Street	Staff Customers	1 queue against wall towards Whitworth Street	1 queue towards Canal Street to discourage people staying outside the venue

## Queue Guidance

- No queues may take up more than half of the pavement – remember that a wheelchair or pushchair must be able to get past the barriers. Security to help passerby.
- All queues must be signposted so that customers get into the right queues when arriving.
- Signage directing people to the correct event must be on display.
- Remember all queues are on pavements which join a road – you must always make sure customers are on the pavement and not on the road as this may cause an accident.
- Ensure queues are as long as possible at the beginning to prevent large crowds blocking the pavement and to prevent queues overspilling onto the road.
- It is essential to keep taxi drivers under control.

## Peak Entry Period 23:00-01:00

- During the hours of 23:00 and 01:00 we experience the highest volumes of customers trying to access the venue. At this point, the majority of the security team will be placed on the front doors to increase the speed of admission, thus reducing the time the queues are on the street and offering a better customer service. They will also monitor the queues.

## Area Main Door – 50 Sackville Street

### ARRIVAL – the perceived issues are how they can be overcome are below.

Identified Problems	Actions and Resolutions	Method of Measurement
<b>Pavement area is blocked by our queues</b>	<ul style="list-style-type: none"> <li>Limited queue to half the pavement width.</li> <li>At busiest period queues to be no longer than 10m [for special events (for example, New Year's Eve) this may increase but will be dynamically risk assessed].</li> </ul>	<ul style="list-style-type: none"> <li>Floor manager to set up prior to opening.</li> <li>Manager to check correct layout.</li> <li>Management to check compliance.</li> </ul>
<b>The number of queues</b>	<ul style="list-style-type: none"> <li>Maximum of one queue</li> <li>Security to patrol the queue and keep people in a safe place along the roadside.</li> </ul>	<ul style="list-style-type: none"> <li>Floor manager to set up prior to opening.</li> <li>Manager to check correct layout.</li> <li>Management to check compliance.</li> </ul>
<b>Long queues generate loud noise and litter</b>	<ul style="list-style-type: none"> <li>Security to patrol the queue and verbally request customers to keep their voices down.</li> <li>Security to prevent any alcohol being consumed in the queue.</li> <li>Venue Support team to sweep at regular intervals.</li> </ul>	<ul style="list-style-type: none"> <li>Management to check compliance on all issues.</li> <li>Floor Manager to check instructions are being carried out.</li> <li>Security to report any issues regarding litter or noise immediately.</li> </ul>
<b>Blocked lanes</b>	<ul style="list-style-type: none"> <li>Keep customers moving along the lanes.</li> </ul>	

### EGRESS – the perceived issues are how they can be overcome are below.

Identified Problems	Actions and Resolutions	Method of Measurement
<b>Large groups leaving the venue at the same time.</b>	<ul style="list-style-type: none"> <li>Security to manage the direction and speed of the departing customers.</li> <li>Enforce exit searches to control speed of queue.</li> </ul>	<ul style="list-style-type: none"> <li>Management to check compliance.</li> </ul>
<b>Groups waiting outside the frontage for friends.</b>	<ul style="list-style-type: none"> <li>Politely asking customers to move towards Canal Street to clear the roadside.</li> </ul>	<ul style="list-style-type: none"> <li>Management to check compliance.</li> <li>Security to report any issues.</li> </ul>
<b>Customers leaving with drinks.</b>	<ul style="list-style-type: none"> <li>No drinks or food allowed to be taken out – place items in bins.</li> <li></li> </ul>	<ul style="list-style-type: none"> <li>Management to check compliance.</li> <li>Security to report issues.</li> </ul>

## Area Basement Entrance – 50 Sackville Street

### ARRIVAL – the perceived issues are how they can be overcome are below.

Identified Problems	Actions and Resolutions	Method of Measurement
<b>Narrow pavement</b>	<ul style="list-style-type: none"> <li>• Monitor for people's safety.</li> </ul>	<ul style="list-style-type: none"> <li>• Management to check compliance or liaise with Head Door Supervisor.</li> </ul>
<b>Narrow entrance way and walkway</b>	<ul style="list-style-type: none"> <li>• Barriers to control the crowds placed along the middle of the pavement</li> </ul>	<ul style="list-style-type: none"> <li>• Management to check compliance.</li> </ul>
<b>Long queues generate loud noise and litter</b>	<ul style="list-style-type: none"> <li>• Security to patrol the queue and verbally request customers to keep their voices down.</li> <li>• Black bags to be attached to all barriers for rubbish.</li> <li>• Security to prevent any alcohol being consumed in the queue.</li> <li>• Venue Support team to sweep at regular intervals.</li> </ul>	<ul style="list-style-type: none"> <li>• Management to check compliance on all issues.</li> <li>• Floor Manager to check instructions are being carried out.</li> <li>• Security to report any issues regarding litter or noise immediately.</li> </ul>
<b>Narrow lanes blocked</b>	<ul style="list-style-type: none"> <li>• Keep customers moving along the queue.</li> </ul>	<ul style="list-style-type: none"> <li>• Management to check compliance.</li> </ul>
<b>The numbers of queues</b>	<ul style="list-style-type: none"> <li>• The single line of barriers along the pavement only give us one keeping the pavement clear.</li> </ul>	<ul style="list-style-type: none"> <li>• Management to check compliance.</li> </ul>

### DEPARTING – the perceived issues are how they can be overcome are below.

Identified Problems	Actions and Resolutions	Method of Measurement
<b>Narrow pavement next to busy bus route</b>	<ul style="list-style-type: none"> <li>• Ensure barriers are placed along the middle of the pavement to ensure pedestrians can use the same pavement.</li> <li>• The barriers also move people to the right of the venue's entrance/exit preventing groups gathering on the road.</li> </ul>	<ul style="list-style-type: none"> <li>• Floor manager to set up prior to opening. Manager to check correct layout. Management to check compliance.</li> </ul>
<b>Large groups leaving the venue at the same time</b>	<ul style="list-style-type: none"> <li>• Security to manage the direction and speed of the departing customers.</li> <li>• Enforce exit searches to control speed of queue.</li> </ul>	<ul style="list-style-type: none"> <li>• Management to check compliance or liaise with Head Door Supervisor.</li> </ul>
<b>Groups gathering on the road</b>	<ul style="list-style-type: none"> <li>• Security to be on the road side moving people to a safe area and pointing to the Canal Street direction.</li> </ul>	<ul style="list-style-type: none"> <li>• Management to check compliance or liaise with Head Door Supervisor.</li> </ul>
<b>Customers leaving with drinks</b>	<ul style="list-style-type: none"> <li>• Security to ensure all customers are finishing their drinks, putting cans/cups into the bins provided.</li> </ul>	<ul style="list-style-type: none"> <li>• Management to check compliance and CCTV operator to monitor cameras for non-compliance.</li> </ul>

## Event Pack Down

It is extremely important that once the queues have gone in, most of the barriers also get broken down. This avoids any obstructions on the footpath and aides in improving the aesthetics of the area.

## Transport

### Public Transport

### UBER / Taxi Apps

Area recognises the increased use of taxi apps.

It will promote a safe location for pickups for its customers. Guests are encouraged to take their taxis from the top of Sackville Street, away from the residential area.

### Road Safety

A number of barriers will be left outside both entrances to create a barrier which prevents people stepping straight out into the road. This is to be closely monitored by management to ensure it does not create an obstacle for pedestrians with access requirements.

### Car Parking

Area actively discourages parking in the local areas due to the disruption that it causes to residents.

## GRADUAL CLOSE DOWN

Area operates a "Gradual Close Down Policy". This effectively staggers the closing time of each room which reduces the pressure on internal services, like the coat check and toilets, and minimises the number of people leaving the venue at one time to cause as little disruption as possible.

<b>Room Closing</b>	When more than one room is in use (per event) there must be a gradual close down of rooms feeding into the main room until the end of the event.
<b>Staff</b>	All staff are to be aware of closing down procedures and assist in any way possible.
<b>Coat Check</b>	<p>All coat checks should have the following to enable effective and efficient operation during the terminal hours:</p> <ul style="list-style-type: none"> <li>• Have single file queues set up with barriers being used as appropriate and removed when the queues go down.</li> <li>• Have the maximum amount of coat check staff on duty and supplement the staff team is necessary.</li> <li>• Have a member of security in place to assist with queue management.</li> </ul>
<b>Music and Lighting</b>	<p>DJs should be informed when they have 30 minutes left at which point music may change and they can prepare their last tracks.</p> <p>Lighting should be more static and brighter towards the last 10/15 minutes of the event.</p> <p>A message should be played on all the screens inviting customers to leave quietly 5/10 minutes before closing time</p>
<b>Exit Noise</b>	<p>Security to ensure people leave quietly and in the direction of Canal Street with extra bins left on the exit points.</p> <p>Customers to be shepherded towards Canal Street where necessary.</p> <p>Adequate signage should be up in the venue encouraging customers to leave quietly.</p>
<b>Security</b>	<p>The security team play an integral part of the implementation of this dispersal policy:</p> <ul style="list-style-type: none"> <li>• encouraging customers to drink-up and progress to the exit within a venue throughout the latter part of drinking-up time.</li> <li>• drawing the attention of exiting customers to the notices in the foyer and ask them to be considerate.</li> <li>• ensuring the removal of all bottles and glasses from departing customers.</li> <li>• actively encouraging customers not to congregate outside the venue.</li> <li>• directing customers to the nearest taxi ranks or other transportation away from the area.</li> </ul> <p>Security to conduct final venue sweep which is to be signed off.</p>

## Monitoring & Responsibility

### Operational Responsibility for the Policy

The ultimate responsibility for ensuring that the policy is carried out lies with the **Duty Manager**. The checks can be delegated to the following management positions:

- Assistant Manager
- Floor Manager

Once the set-up is complete and the initial checks are complete, the **Duty Manager** should ensure the policy is implemented to their satisfaction.

### Reporting Issues with the Policy

Any issues raised should be noted on the *Manager Report* for the event. Any major issues should be reported to the DPS immediately. If they are not on duty, please text them to make them aware.

If a complaint is received from a member of the public, or any responsible authority – an investigation into the complaint shall be carried out by the DPS and a formal written response made within 14 days.

### Recommending Changes to the Policy

The condition in the Premises Licence which relates to this policy allows for amendments to be made, subject to Police and Licensing Authority agreement.

Amendment Proposed – Unanimous Agreement	Amendment Proposed – Discussion Needed
If an amendment is proposed and there is unanimous agreement, a letter will be issued by the Licensing Authority to that respect.	If an amendment is proposed but discussion is needed, a meeting will be arranged between the premise, Licensing Authority and Police to discuss the issues.



## Our Goal...

We believe there is a more exciting way to help our customers deliver better projects...

## Our Passion...

**Innovate** to make life simpler, drive **quality** so the detail is clear and **communicate** so everyone understands...

Quietly Confident...

## Noise Impact Assessment...

Area – Manchester

50 Sackville Street, Manchester. M1 3WF.

*Extension of Opening Hours*

**KR07334**

version 1.0 – 15<sup>th</sup> June 2023

## Report Conclusion...

The current acoustic mitigation measures installed at the venue will enable the club to play music at the centre of the dance floor of 96 - 98 dB(A) without disturbing the residents (measured when the club is empty). It is the professional opinion of KR Associates (UK) Ltd that extending the opening hours to 05:30 or beyond on a Friday and Saturday night will not disturb the residents in the flat above.

Version History...

Reference	Version	Date	Author	Position	Document Status
KR07334	V1.0	14/06/23	R Scrivener	Consultant	Technical Note
Details	Current Issue – For client discussion and issue to the residents above				

Report Limitations...

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## 1. Technical Note...

### 1.1. Introduction

KR Associates (UK) Ltd have been instructed to produce a technical note to support the proposed extension to the opening hours at the Area venue at 50 Sackville Street in Manchester. The site currently opens to 4:00am 7-days per week and it is proposed to extend the opening hours on Friday and Saturday to 5:30am.

### 1.2. The Area Venue

The Area club is located within the Gay Village area which forms part of Manchester's vibrant LBGQT+ community. The original warehouse was converted in 1999 as part of the Canal Street regeneration and was designed to provide residential flats above a licensed premises and other commercial uses in a lively city centre location. The current owners purchased the club in the summer of 2022 and changed the name from Tribeca to Area.

### 1.3. Existing Premises Licence

#### 1.3.1 Original Premises Licence

The Area venue operates under a Premises Licence reference 050183 which was granted on 13<sup>th</sup> September 2005 by Manchester City Council in their capacity as the licensing authority.

#### 1.3.2 Operating Hours

The current license allows the Area night club to open between 11:00 and 04:00 hours 7-days per week. The current license allows the sale of alcohol, the serving of food, recorded and live music between 11:00 and 03:30 hours 7-days per week.

#### 1.3.3 Annex 2 – Condition 2 of Licence

The current Premises Licence includes the following condition which relates to noise emanating from the premises and disturbing the local residential dwellings.

*“Condition 2*

*The licence holder shall ensure that noise shall not emanate from the licensed premises such as to cause persons in the neighbourhood to be unreasonably disturbed. Any form of amplification shall be so controlled by the licensee so as to prevent such a disturbance.”*

#### 1.3.4 Annex 2 – Condition 11 of Licence

The current Premises Licence includes the following condition which requires all live and amplified music to be played through a music limiter.

*“Condition 11*

*All music (live or recorded) played must be channelled through the noise limiting device.”*

#### 1.3.5 Annex 3 – Condition 1 of Licence

The current Premises Licence includes a standard condition which requires the music levels to be lowered 30-minutes before the closing time to encourage the staggered dispersal of customers.

*“30-minutes before the premises closes to the public the volume of music shall be lowered to encourage dispersal”.*

### 1.4. Variation of Hours

The venue is just off Canal Street in the Gay Village area of Manchester and is an integral part of the vibrant LBGQT+ community. The venue was purchased by the current experienced owners in the summer of last year, who had had over 25-years' experience of operating world class venues in London and other cities.

The application is seeking to extend the hours on Friday and Saturday to the following:

- Opening Hours: 11:00 to 05:30 Friday and Saturday only.
- Sale of Alcohol: 11:00 to 05:00 Friday and Saturday only.
- All Music: 11:00 to 05:00 Friday and Saturday only.

### 1.5. Other Venues in the Area

On a Friday and Saturday, the nightclub venues around Canal Street open at staggered times with Cruz 101 closing at 8:00am and On Bar, Bar Pop, and G-A-Y closing at 6:00am.

The proposed extension to the opening hours for Area are required to ensure the long-term viability of the venue and allow ensure it fits in with the current late night openings at 6:00am and 8:00am of the other venues.

1.6. Layout of the Building

The former warehouse consists of the Area venue, Richmond Tea Rooms, Sansi Japanese restaurant, and the Esquires coffee shop located on the ground floor with a gym on the basement floor below. There is a car park on the 1<sup>st</sup> floor and then residential flats on the floors above.

1.7. Previous Complaints

The Tribeca venue operated as a traditional nightclub with a large unlimited sound system and received numerous complaints about noise throughout the building. After taking over the venue in the summer of 2022 the current operators have undertaken the following works costing over £150,000 and worked in conjunction with the residents to resolve the current issues.

- Renovate and block up the existing lift shaft including acoustic lining.
- Repaired and upgraded the acoustic ceiling throughout the venue.
- Lined all the exposed columns and walls to control flanking transmission.
- Installed a high-quality size appropriate sound system with limiters.
- Installed the mid-range speakers on anti-vibration ceiling mounts.
- Installed the bass bins within vibration isolation cabinets.
- Reconfigured the speaker to focus the sound in the centre of the dance floor.
- Introduced absorption within the venue to reduce the reverberation time.

1.8. Background Noise Levels within Residential Flats

The following are the background noise levels that have been previously measured within the residential flats. The area around Canal Street remains busy especially on a Friday and Saturday night as several venues stay open to 8:00am the following morning.

Details	Octave Centre Band Frequency (Hz)								
	(A)	32	63	125	250	500	1K	2K	4K
Outside Rooms	32	49	35	32	30	27	24	25	24
Inside Rooms	27	43	28	27	21	20	22	19	19
Equivalent Continuous Sound Pressure Levels, L <sub>eq</sub> (dB) – reference level 2 x 10 <sup>-5</sup> Nm <sup>-2</sup>									

1.9. Normal Threshold of Hearing

For reference the threshold of hearing is taken from ISO 389: Part 7: 2019 entitled “Acoustics: Reference zero for the calibration of audiometric equipment. Reference threshold of hearing under free-field and diffuse-field listening conditions.”

Details	Octave Centre Band Frequency (Hz)								
	(A)	32	63	125	250	500	1K	2K	4K
Threshold of Hearing	--	69	45	28	17	10	8	6	5
Equivalent Continuous Sound Pressure Levels, L <sub>eq</sub> (dB) – reference level 2 x 10 <sup>-5</sup> Nm <sup>-2</sup>									

1.10. Criterion within Residential Flats

The proposed criterion within the residential flats will be set 10 dB below the background noise levels in each octave band unless the level falls below the threshold of hearing. The background noise level is taken on the quieter inner rooms without windows to the outside.

Details	Octave Centre Band Frequency (Hz)								
	(A)	32	63	125	250	500	1K	2K	4K
Criterion within Flats	--	69	45	28	17	10	12	9	9
Equivalent Continuous Sound Pressure Levels, L <sub>eq</sub> (dB) – reference level 2 x 10 <sup>-5</sup> Nm <sup>-2</sup>									

1.11. Observations in Residential Flats

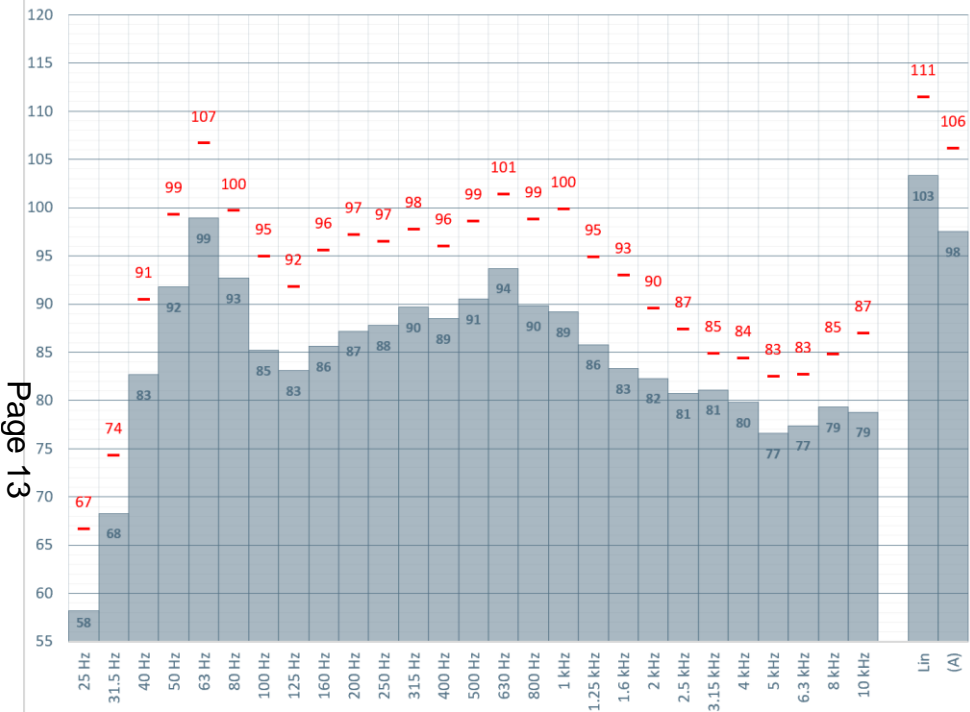
KR Associates (UK) Ltd have now visited several flats over the last couple of months and after the recent completion of the final works can confirm the noise levels within the flats meet the proposed criterion. For the vast majority of the time the music noise should be inaudible to the residents due to the relatively high background noise levels in the area.

1.12. Results of Mitigation Measures

The current acoustic mitigation measures installed at the venue will enable the club to play music at the centre of the dance floor of 96 - 98 dB(A) without disturbing the residents (measured when the club is empty). It is the professional opinion of KR Associates (UK) Ltd that extending the opening hours to 05:30 or beyond on a Friday and Saturday night will not disturb the residents in the flat above.

1.13. Music Limiter Noise Levels

The music limiter was set on the amp-rack within the office and secured so that the levels can't be changed during the normal operation of the venue. The following are the maximum noise levels that will exist on the dance floor. The measurements are undertaken by using a sweeping microphone technique ensuring the microphone does not come within 2.0m of any of the speakers.

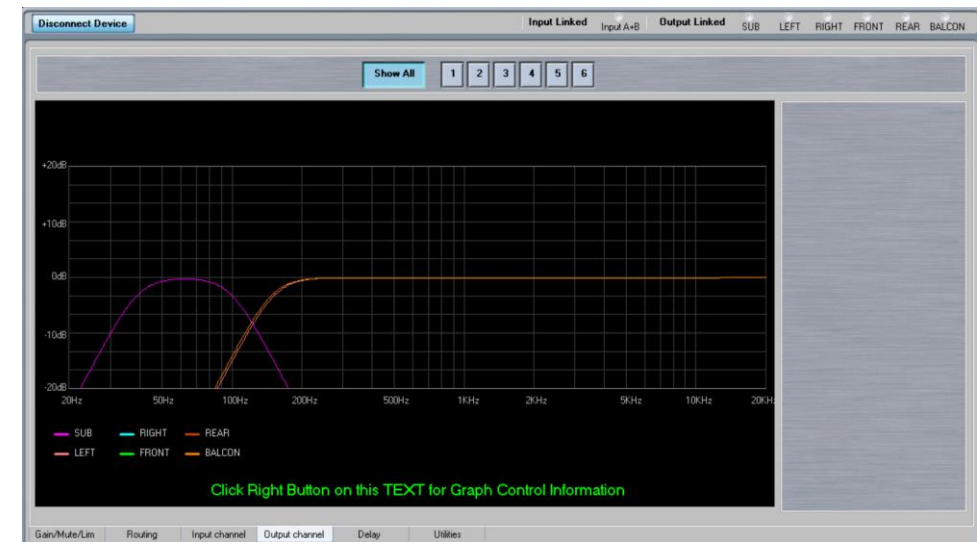


Details	Octave Centre Band Frequency (Hz)								
	(A)	32	63	125	250	500	1K	2K	4K
Maximum Noise Level (L <sub>Max</sub> )	106	91	108	99	102	104	103	95	89
Average Noise Level (L <sub>eq</sub> )	98	83	100	90	93	96	93	87	84

Equivalent Continuous Sound Pressure Levels, L<sub>eq</sub> (dB) – reference level 2 x 10<sup>-5</sup> Nm<sup>-2</sup>

1.14. Setup of Limiter

The following shows a screenshot of the limiter with the high pass filter on the mid-range speakers and the current profile of the bass bins.



1.15. Previous Complaints

KR Associates (UK) Ltd was previous shown a letter of complaint from David Barnes on behalf of the freeholder and managing agents of 42 – 44 Sackville Street dated in February 2023. The letter was received before any of the mitigation measures had been undertaken.

1.15.1 TriBeCa Operation

The operators of Area are different to the operators of the previous night-club. Area is operated by an established company who have numerous venues in London and other major cities, all of which continue to operate without substantiated complaints due to their proactive approach on noise and working with their neighbours to resolve any issues.

1.15.2 Noise from Patrons

The Area team have developed a world class dispersal policy that is used by many different clubs throughout the country. It is the experience of KR Associates (UK) Ltd that in terms of noise from customers once they leave the venue later opening times tend to stagger when people leave the club as it removes the pinch point. Currently, customers in the Canal Street area expect to be able to stay at a venue until 6:00am or 8:00am.

