



Licensing Sub Committee Hearing Panel

Date: Wednesday, 21 February 2024

Time: 10.00 am

Venue: Council Chamber, 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 Chamber

Public access to the Council Chamber 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 entrances of the Extension.

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Connolly, Evans and T Judge

Supplementary Agenda

4. **Application for a New Premises Licence - Co-op Live, Etihad Campus, Manchester, M11 3FF** 3 - 12
Now contains additional information as submitted by the applicant's agent.

Further Information

For help, advice and information about this meeting please contact the Committee Officer:

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This supplementary agenda was issued on **Friday, 16 February 2024** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

Co-op Live
Manchester
Draft Premises Licence Conditions
as at 13 February 2024
(with conditions agreed with Ward Councillors inserted 16 February 2024)

Definitions:

1. For the purposes of these conditions, the following words and phrases will have the following meanings:
 - 1.1 **“The Premises”** means the area of land and buildings delineated in red on the plan lodged with the Premises Licence application, (currently) known as ‘Co-op Live’.
 - 1.2 **“Ancillary Spaces”** means the internal spaces listed in Schedule 1.
 - 1.3 **“Ancillary Spaces Activities”** means licensable activities in the form of Regulated Entertainment and Sale of Alcohol conducted in the Ancillary Spaces, pursuant to the Strategy for Ancillary Spaces Use.
 - 1.4 **“Appendix 1 Procedures”** means those policies; plans and procedures identified as such below (and shall include the terms of any agreed Strategy for Ancillary Spaces Use) which are enforceable as licence conditions.
 - 1.5 **“Bar”** means any temporary bar/kiosk/counter/area (fixed or mobile (including “hawkers”)) used in the Premises for the purpose of selling alcohol.
 - 1.6 **“Bar Supervisor”** means a person(s) who has responsibility for directly supervising the Bar Staff operating a Bar.
 - 1.7 **“Bar Staff”** means person) operating the Bars, involved in the sale or supply of alcoholic beverages.
 - 1.8 **“Co-op Live Event”** means any event in the Auditorium Bowl at which licensable activities will take place.
 - 1.9 **“EAL Management”** means those persons (including the Designated Premises Supervisor and their Nominated Deputies and, at a Co-op Live Event, the designated Duty Venue Manager) who hold roles at Eastlands Arena Limited (EAL) whereby they are authorised to make management (and operational) decisions relevant to the operation of licensable activities at the Premises.
 - 1.10 **“Event Specific Instructions”** means the event-specific planning and operational General Instructions document relating to a Co-op Live Event (including Event Briefings) and/or to Ancillary Spaces

Activities.

- 1.11 “**Generic Event Management Plan**” means a summary of all of the operating procedures in place for Co-op Live Events and Ancillary Spaces Activities including the generic risk assessment.
- 1.12 “**GMP**” means Greater Manchester Police.
- 1.13 “**Guides**” means the Guide to Safety at Sports Grounds (6th Edition) published by the Sports Grounds Safety Authority and Supporting Guidance 03, Event Safety Management, in so far as their recommendations are appropriate for indoor multi-use venues.
- 1.14 “**Licence Conditions**” means those conditions set out below together with the Appendix 1 Procedures.
- 1.15 “**Necessary Information**” means such information as EAL Management require from third parties in order to complete a meaningful Generic Risk Assessment
- 1.16 “**Operations Manual**” means a Manual (accessible to Authorised Personnel, electronically or otherwise) of standards; policies and procedures (consistent with the recommendations in the Guides and the ‘Manchester Standards’ in the Statement of Licensing Policy).
- 1.17 “**Podium**” means the external walkway area as shown on the licensing plan.
- 1.18 “**Responsible Authority Contacts**” means the officer(s) (if any) as identified by each Responsible Authority (whether as part of an Event Review Meeting (EVM) or otherwise) as being the primary contact at that Authority, concerning licensable activities at the Premises.
- 1.19 “**Stadium Event**” means an event taking place in the ‘bowl’ of the Etihad Stadium under the terms of a general safety certificate or special safety certificate.
- 1.20 “**Strategy for Ancillary Spaces Use**” means a document (or documents) detailing the nature of the planned activities in the different Ancillary Spaces; proposed hours of licensed operation (and opening/closure) and operational management arrangements supporting the planned operation, including specific Crowd management; Dispersal and Transport plans to promote the Licensing Objectives during any post-midnight operation.

General Conditions applicable to all Licensable Activities

2. Regulated Entertainment: the Sale of Alcohol by retail and/or the provision of Late-Night Refreshment shall only take place in accordance with these Licence Conditions.

Hours

3. Standard Hours:

Subject always to conditions 4 and 5, licensable activities comprising Regulated Entertainment and the Sale of Alcohol (and Late Night Refreshment for consumption in the Premises only, after 23:00) shall only take place in the following areas during the following authorised hours:

- a. **Auditorium Bowl:** 10:00 to 23:30, daily.
- b. **Ancillary Spaces:**
 - Sunday – Thursday: 10:00 – 01:00 (with 01:30 close)
 - Friday & Saturday: 10:00 – 02:00 (with 02:30 close)
 - Sundays prior to a Bank Holiday: 10:00 – 02:00 (02:30 close)
- c. **On the Podium:** 10:00 to 22:00

4. Extended Hours:

Subject always to the prior written approval of the Licensing Authority (which shall not be unreasonably withheld), following consideration of EAL Management's bespoke 'Extended Hours' Event Management Plan (encompassing as a minimum to promote the four Licensing Objectives, specific Event Safety; Egress/crowd management; Transport Management and Noise Management arrangements that will apply during the specific Extended Hours sought, 'Extended Hours' may apply, extending the terminal hour in 3(a) and 3(b) to (a maximum of) 10:00, on a maximum of 25 occasions per annum.

5. Ancillary Spaces Activities:

Any Ancillary Spaces Activities shall only be authorised after 24:00:

- a. Where a 'Strategy for Ancillary Spaces Use' has been agreed with the Licensing Authority (such agreement not to be unreasonably withheld); thereafter the Ancillary Spaces Activities shall be conducted in compliance with the agreed Strategy.
- b. Where the total capacity of patrons in the Ancillary Spaces does not exceed 6000;
- c. For sales of alcohol only for consumption within the Premises; and
- d. Where EAL Management has undertaken a written risk assessment (as part of its Appendix 1 Procedures or otherwise) to consider whether or not under 18s should be permitted entry and/or permitted to remain in the Premises.

Pre-Opening Conditions:

6. The Premises Licence Holder shall, prior to operating the Premises for licensable activities for the first time, submit its draft Operations Manual to the Responsible Authority Contacts for their consideration and feedback.
7. Any feedback received from the Responsible Authority Contacts shall be given due consideration by EAL Management. EAL Management shall amend; expand and/or vary the Operations Manual, as it considers appropriate, before adoption.
8. Without limiting Condition 6, the Premises shall not conduct licensable activities:
 - a. At any Co-op Live Event (and/or in the Ancillary Spaces) until the Appendix 1 Procedures are approvedⁱⁱ by the Licensing Authority (such approval not to be unreasonably withheld), and/or
 - b. In the Ancillary Spaces, on a non Co-op Live Event day until the Strategy for Ancillary Spaces Use is approvedⁱⁱⁱ as provided in condition 5(a).
9. The final version of the Operations Manual shall be forwarded to the Responsible Authority Contacts for ease of future reference (through a confidential/secure portal or otherwise) unless otherwise agreed, prior to the opening of the Premises for licensable activities.
10. Prior to the Premises (or any part of it) being used for the first time for any licensable activities, a Generic Event Management Plan will be prepared by EAL Management to identify any required measures relating to the Premises (or part) to minimise any risks to the promotion of the Licensing Objectives.
11. The Premises will not be used for licensable activities under the terms of this Premises Licence until an appropriate Noise Management Plan has been approved by the Licensing Authority/LOOH (such approval not to be unreasonably withheld). Thereafter, Regulated Entertainment Events falling within the ambit of the Noise Management Plan must be conducted in accordance with the terms of that Plan. Nothing in this condition will prevent Environmental Health and EAL Management from agreeing amendments to the Noise Management Plan, from time to time, in order to promote the licensing objectives and/or due to the operational needs of the Premises.

Review and Revision of the Operations Manual

12. Subject to condition 13, the DPS (or EAL Management) will provide the Responsible Authority Contacts with a clean copy of the up-to-date Operations Manual for the Premises annually on the anniversary of the opening date (together with a summary or index identifying any updates made).

13. In the event of revisions being sought by EAL Management to the Appendix 1 Procedures, EAL Management will first inform in writing and consult with the Responsible Authority Contacts, concerning their intended changes. EAL Management will give due consideration to any feedback received from the Responsible Authority Contacts, prior to any changes being made through agreement with the Contacts or through any formal variation application (as required).

Conditions relating to General Licensed Operations:

14. When licensable activities are conducted, EAL Management shall use reasonable endeavours to consider the provisions of the Guides (in so far as they are relevant to the Premises and depending on the nature of the licensable activities), and to operate in substantial adherence to the pertinent sections of its Operations Manual^{iv}.
15. EAL Management shall maintain a comprehensive digital colour CCTV system to the standards recommended by GMP. All public entry points to the building will be covered by CCTV cameras which will provide images to a facial recognition standard in any light condition. The external terrace shall also have CCTV as recommended by GMP in positions (near to any external bar area) as directed. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 30 days with date and time stamping.
16. A staff member who is suitably trained in accordance with EAL's Training Plan, SIA licensed and fully conversant with the operation of the CCTV system shall be present in the Premises at all times when they are open to the public for licensable activities. This staff member (or the DPS) shall, on reasonable request, show recordings to officers of GMP and/or of the Licensing Authority.
17. An incident log (or logs) shall be kept at the Premises (or accessible remotely) and shall be made available on reasonable request to GMP or to authorised officers of Manchester City Council. The log will record the following:
- (a) Where they relate to a licensable activity:
 - (i) All crimes reported to the Premises;
 - (ii) All ejections of visitors;
 - (iii) Any incidents of disorder;
 - (b) Any seizures of drugs or offensive weapons;
 - (c) Any faults in the CCTV system or searching/scanning equipment; and
 - (d) Any refusal of the sale of alcohol during trading hours.
18. There must be at the Premises a secure lockable 'Drugs Box' to which no member of staff, save the DPS and/or their Nominated Deputies shall have access. All controlled drugs (or items suspected to be or to contain

controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all of its contents must be given to GMP for appropriate disposal.

19. No person under the age of 18 shall be permitted to enter or remain on the Premises when any “relevant entertainment” (as defined in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982) is taking place.

Alcohol Management:

20. Without limiting the full provisions of EAL’s Alcohol Management Procedures and Training Plan, EAL shall:

- (a) Operate a ‘Challenge 25’ Scheme to ensure that any person attempting to purchase alcohol (from any bar; self-service facility; hawker or otherwise) 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 a passport, a photo card driving licence, an EU/EEA national ID card or similar document, or an industry approved proof of age identity card.
- (b) In advance of any Auditorium Bowl event, consider the demographic of the audience and tailor its food and beverage (alcoholic and non-alcoholic) offering accordingly, to promote the Licensing Objectives.
- (c) Keep a log at the Premises (electronically or otherwise) and record all refused sales of alcohol for reasons that the person(s) is, or appears to be, under 25 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 made available on reasonable request by the Police or an authorised officer of Manchester City Council.
- (d) Only permit ‘off-sales’ as provided in condition 21.
- (e) Train all those staff involved in the supply or sale of alcohol on its Alcohol Management procedures, on induction and at regular intervals, in accordance with its Training Plan and Manchester Standard 12. For the avoidance of doubt, as a minimum the Alcohol Management Training will cover:
 - (i) Challenge 25;
 - (ii) Measures to minimise the risk of alcohol being purchased by children by proxy;
 - (iii) Signs of inebriation; and how to support patrons (with reference to safeguarding policies, where appropriate); and
 - (iv) Signs of vulnerability and how to support patrons (with reference to safeguarding policies, where appropriate), and the Conditions of this Premises Licence appertaining specifically to alcohol sales; and

- (v) General law relating to the Sale of Alcohol including the requirement to promote the four Licensing Objectives.

21. Alcohol shall only be sold for consumption 'off' the Premises at exhibitions; fayres; markets and similar retail occasions at which Regulated Entertainment is not the primary focus of the occasion. Any off sales shall only be made in sealed containers and in packaging that identifies the origins of its purchase.

Egress and Dispersal Procedures

- 22. On closure of the Premises, a dispersal policy shall be in place and implemented to move patrons from the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.
- 23. Prominent signage shall be displayed at all primary exits from the Premises requesting that visitors respect those living and working in the locality.
- 24. EAL shall make available a contact email address and/or website contact information for use in the event of complaints arising, relating to licensable activities being conducted at the Premises.

Additional Conditions relating to Co-op Live (Bowl) Events and Ancillary Space Activities

These conditions apply (in addition to the above conditions), at or in relation to any Co-op Live Event and/or to Ancillary Space Activities:

- 25. An Event Review Meeting (ERM) shall be established by EAL Management which shall invite, as a minimum, the Responsible Authority Contacts, and North-West Ambulance Service; Greater Manchester Fire and Rescue Service, and Representatives from the Etihad Stadium and from the wider Campus Management, to a meeting at least three times per year, to encourage information-sharing, collaboration and cohesion regarding matters pertinent to the promotion of the Licensing Objectives at the Premises. The Premises Licence Holder (acting by EAL Management) shall have proper regard to any information received at the ERM and any advice imparted by the Authorities/Services in attendance.
- 26. The capacity for guests/spectators in the Auditorium Bowl shall not exceed 23,500 at any one time.
- 27. EAL Management will ensure that licensable activities are planned and conducted in full compliance with the Appendix 1 Procedures.
- 28. The following comprise the Appendix 1 Procedures:
 - (a) Event Safety Policy;
 - (b) Generic Event Management Plan and Event Specific Instructions

(where required);

(c) Contingency Plans;

(d) Alcohol Management Procedures;

(e) Crowd Management and Ingress/Egress Management Plans;

(f) Security and Counter Terrorism plans and procedures (including CCTV); and

(g) Training Procedures and Record Keeping.

29. Licensable activities in the Podium shall cease prior to the main act in the Auditorium Bowl commencing and shall not take place following the end of the Bowl Event, where it finishes at or after 21:00.

30. Without limiting the above, where a Co-op Live Event is scheduled to take place concurrently with a Stadium Event, specific consideration shall be given by EAL Management in liaison with the Stadium operators and other Campus stakeholders to identify and address any likely implications for the promotion of the four Licensing Objectives at the Premises. This process (to ensure cohesion of Campus operations) will be detailed in the Campus Operations Manual, separately submitted to Manchester City Council (as part of the planning conditions) and available on request to the Responsible Authorities.

Schedule 1: Ancillary Spaces

- The Street, Event Level 0
- Decibel Club, Level 0
- Bentley Record Room, Level 0
- Co-op Backstage Club, Level 1
- Deck Suites (x2), Level 1
- Gallery Suites, Level 2
- Suites, Level 2
- AMP Club, Level 2
- Concourses, Levels 1 and 3
- Sky VIP Hangout / South Hangout, Level 4
- Boardroom, Level 4

Additional Conditions agreed between Applicant and Cllr Grimshaw; Cllr Hitchen and Cllr Flanagan 16 February 2024, on the withdrawal of their Representations.

1. Last entry time for all ticketed events will be 23:30. This condition does not include an Extended Hours event;
2. No under 18's patrons shall remain on the premises after midnight except in the Private Suites, Galleries, Decibel Club and Record Room.

3. Extended Hours Events: shall not be held for more than 3 consecutive nights.
4. A nominated Ward Councillor is represented alongside the Responsible Authorities when reviewing Extended Hours documentation (referenced in condition 4).

ⁱ Authorised Personnel only will have access to and sight of the Premises' Operations Manual for reasons of safety; security and commercial sensitivity. It will therefore be a strictly confidential document only accessible by the Premises Licence Holder's staff (or third parties as authorized by it) and by the Responsible Authorities duly authorised officers (including the Responsible Authority Contacts).

ⁱⁱ The Procedures can be actively approved by email by the Licensing Authority or shall be deemed approved where they have been provided to the Licensing Authority and the Licensing Authority has not provided any comment concerning possible revision within 28 days of receipt.

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^{iv} It is acknowledged by all that the Operations Manual (except for the Appendix 1 Procedures) must remain a 'live' document capable of change by EAL Management without the need for external input. This is to enable its licensed operation to be conducted in a manner consistent with best industry practice/its developing operational knowledge/requirements and/or to remain current, in a changing commercial environment. Insignificant derogation from the Operations Manual (other than from the Appendix 1 Procedures) shall consequently not amount to a breach of conditions.

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