



Licensing Sub Committee Hearing Panel

Date: Monday, 8 April 2024

Time: 11.00 am (or at the rise of the Licensing & Appeals
Sub-Committee Hearing Panel)

Venue: Council Antechamber, Level 2, Town Hall Extension

This is a **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 entrances of the Extension.

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Grimshaw, Hughes and T Judge

Supplementary Agenda

4. **Temporary Event Notice - Didsbury Sports Ground, Ford Lane, Manchester, M20 2RU** 3 - 58
The report of the Director of Planning, Building Control and Licensing is now enclosed.

Further Information

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

Callum Jones
Tel: 0161 234 4940
Email: callum.jones@manchester.gov.uk

This supplementary agenda was issued on **Thursday, 28 March 2024** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 8 April 2024

Subject: Didsbury Sports Ground, Ford Lane, Manchester, M20 2RU - ref:
LTN299246

Report of: Director of Planning, Building Control & Licensing

Summary

Submission of a temporary event notice where an objection notice has been given.

Recommendations

That the Panel consider the objection notice(s) and give a counter notice where it considers it appropriate.

Wards Affected: Didsbury West

Manchester Strategy Outcomes	Summary of the contribution to the strategy
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The efficient processing of applications as well as effective decision making in respect of them, plays an essential role in enabling businesses to thrive and maximise contribution to the economy of the region and sub-region.
A highly skilled city: world class and home grown talent sustaining the city's economic success	An effective Licensing regime will enable growth in our City by supporting businesses who promote the Licensing Objectives.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications. Representations have to be directly related to the licensing objectives.
A liveable and low carbon city: a destination of choice to live, visit and work.	An effective licensing system supports and enables growth and employment in our City with neighbourhoods that provide amenities suitable to the surrounding communities.

A connected city: world class infrastructure and connectivity to drive growth	
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Full details are in the body of the report, along with any implications for:

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

Name: Fraser Swift
 Position: Principal Licensing Officer
 Telephone: 0161 234 1176
 E-mail: fraser.swift@manchester.gov.uk

Name: Scott McAvoy
 Position: Technical Licensing Officer
 Telephone: 0161 237 3275
 E-mail: Premises.licensing@manchester.gov.uk

Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy, please contact one of the contact officers above.

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Licensing Act 2003 (Hearings) Regulations 2005
- Any further documentary submissions by any party to the hearing

1. Introduction

- 1.1 On 22 March 2024, a temporary event notice (TEN) was given under s100A of the Licensing Act 2003 in respect of Didsbury Sports Ground, Ford Lane, Manchester, M20 2RU in the Didsbury West ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 In accordance with Licensing Act 2003 regulations, Greater Manchester Police (GMP) and Licensing Out of Hours Compliance (LOOH) were notified of the TEN.
- 1.3 Where either GMP or LOOH is satisfied that allowing the premises to be used in accordance with the TEN would undermine a licensing objective, they must give an objection notice to the relevant licensing authority, the premises user, and to every other relevant person.
- 1.4 The objection notice must be given no later than three working days after the day on which the objector is given the TEN.
- 1.5 An objection notice has been received in respect of this TEN and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. The Notice

- 2.1 A copy of the TEN is attached at **Appendix 2**.
- 2.2 The premises user is Mr Philip Osborne.
- 2.3 The description of the event is Didsbury Craft Beer Festival.
 - 2.3.1 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of Live Music and Recorded Music between the hours of 0800 and 2300 hours have been deregulated and so should not be regarded as licensable activities for the purposes of this TEN.
 - 2.3.2 Any further details provided relating to any of the individual licensable activities are specified on the TEN at **Appendix 2**.
 - 2.3.3 The premises is subject to a premises licence issued under the Licensing Act 2003. A copy of the licence is included at **Appendix 4**.
- 2.4 **Activities unsuitable for children**
 - 2.4.1 The premises user has not highlighted any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
- 2.5 **Further documentation accompanying the application**
 - 2.5.1 The premises user has submitted the following documents in support of the TEN, which are included with the application form at **Appendix 2**:

- Crowd Control and Dispersal Policy
- Plan

3. Objection Notice(s)

- 3.1 An objection notice was received from GMP and from LOOH in respect of the TEN (**Appendix 3**). The personal details of all members of the public have been redacted. Original copies of these objections will be available to the Panel at the hearing.
- 3.2 Summary of the objections:

Party	Grounds of representation	Recommends
GMP	<p>Serious concerns that the licensing objectives will be undermined due to:</p> <ul style="list-style-type: none"> • Public Nuisance – noise, parking, traffic, dispersal, toilet provision leading to public urination, litter, other anti-social behaviour • Public Safety – capacity concerns leading to calls to GMP, unclear SIA security and stewarding staff deployment and policy 	Serve a counter notice
Licensing and Out of Hours Compliance	<ul style="list-style-type: none"> • Public Safety – as above and re capacity - the separate day/night ticket management will result in confusion and inaccurate capacity numbers • Public Nuisance – as above and dispersal concerns re taxis causing congestion in residential areas 	Serve a counter notice

4. Key Policies and Considerations

4.1 Legal Considerations

- 4.1.1 Hearings under the Licensing Act 2003 operate under the Licensing Act 2003 (Hearings) Regulations 2005.

4.2 New Information

- 4.2.1 In accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005, the authority may take into account documentary or other information produced by a party in support of their application, representations

or notice either before the hearing or, with the consent of all parties, at the hearing.

4.3 **Hearsay Evidence**

4.3.1 The Panel may accept hearsay evidence and it will be a matter for the Panel to attach what weight to it that they consider appropriate. Hearsay evidence is evidence of something that a witness neither saw nor heard, but has heard or read about.

4.4 **The Secretary of State's Guidance to the Licensing Act 2003**

4.4.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided for all parties involved in licensing. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.

4.4.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.

4.4.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

4.5 **Manchester Statement of Licensing Policy**

4.5.1 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' its statement of licensing policy.

4.5.2 The Licensing Policy sets out the vision the licensing authority has for the regulation of licensed premises throughout Manchester and outlines the standards expected in order to ensure the promotion of the licensing objectives in the city. The Panel may depart from the policies should it consider doing so would benefit the promotion of the licensing objectives. Reasons are to be given for any such departure from the Policy.

4.5.3 Section 4 of the Policy (Operation of the Policy) sets out how the Licensing Policy is intended to be used in practice for licence applications and licensed premises.

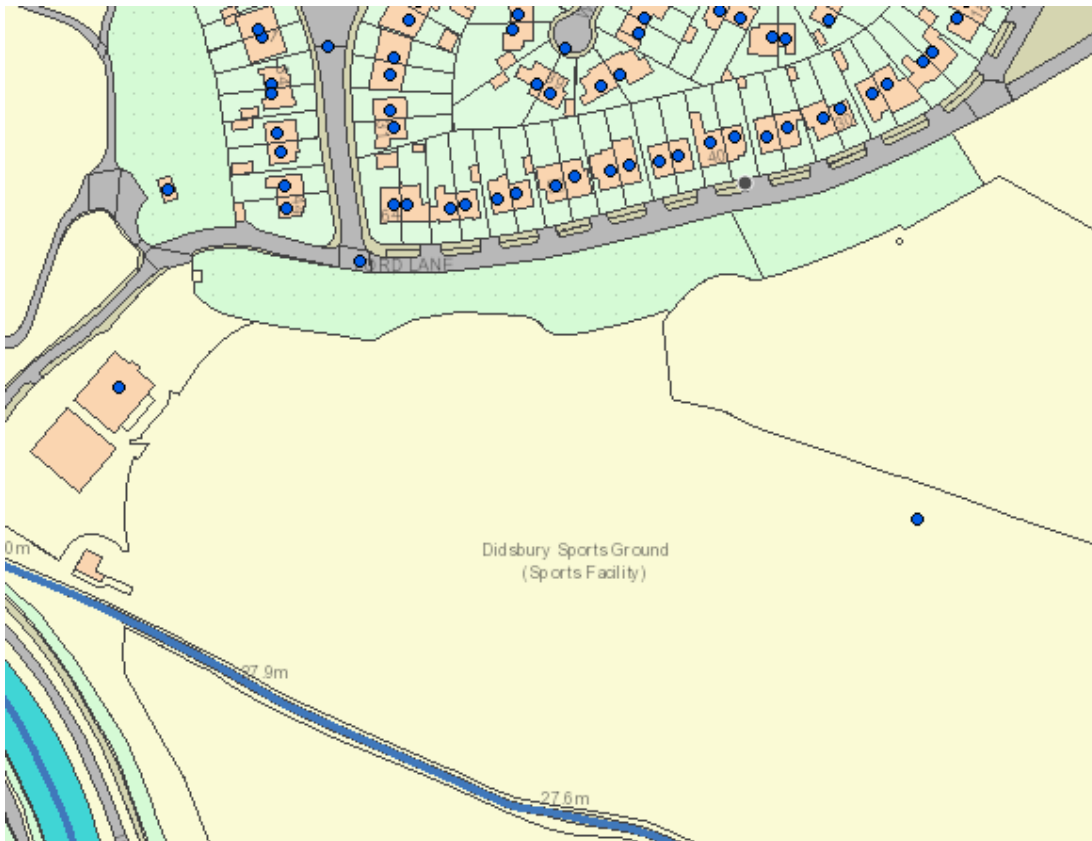
4.5.4 Where the authority considers that to impose on the TEN one or more of the conditions from a premises licence or club premises certificate in force at the premises (insofar as such conditions are not inconsistent with the event) is appropriate for the promotion of the licencing objectives, the policy is to give notice to the premises user that includes a statement of the conditions imposed. Copies of this notice will be provided for GMP and LOOH.

- 4.5.5 Where, following any representations at the hearing, the licensing authority is not satisfied the event will ensure the promotion of the licensing objectives, the policy is to issue a counter-notice against the Temporary Event Notice.

5. Conclusion

- 5.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 5.2 In considering the matter, the Panel should take into account any objections that have been received from GMP or LOOH, and representations made by the applicant or premises user as the case may be. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council’s licensing policy statement.
- 5.3 Having regard to the objection notice(s), the panel must give the premises user a counter notice if it considers it appropriate for the promotion of a licensing objective to do so.
- 5.4 If the panel decides not to give a counter notice the panel may impose one or more conditions on the TEN if –
- the authority considers it appropriate for the promotion of the licensing objectives to do so,
 - the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and
 - the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.
- 5.5 All licensing determinations should be considered on the individual merits of the notification.
- 5.6 The Panel’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 5.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.

6. The Panel is asked to determine the temporary event notice.



PREMISE NAME: Didsbury Sports Ground
 PREMISE ADDRESS: Didsbury Sports Ground, Ford Lane, Manchester, M20 2RU
 WARD: Didsbury West
 HEARING DATE: 08/04/2024

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Temporary Event Notice

Payment Transaction number:- SSES00965196 | Form Reference number EF1/1146612

Premises User Information

Title

Mr

If other please state

n/a

Surname

[Redacted]

Forenames

[Redacted]

Previous names (Please enter details of any previous names or maiden names, if applicable)

n/a

Your date of birth

[Redacted]

Your place of birth

[Redacted]

National Insurance Number

[Redacted]

Your current address (We will use this address to correspond with you unless you complete the separate correspondence box)

[Redacted]

[Redacted]

Telephone

[Redacted]

Evening telephone

n/a

Mobile phone*n/a***Fax number***n/a***Email address****Address***n/a***Telephone***n/a***Evening telephone***n/a***Mobile phone***n/a***Fax number***n/a***Email***n/a*

Premises information

Please give the name and address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references)

Didsbury Sports Ground,
Ford Lane, Didsbury, Manchester, M20 2RU

Premises licence number*n/a*

Club premises certificate number

n/a

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details.

First Rugby Pitch next to the club house

Please describe the nature of the premises

Sports ground

Please describe the nature of the event

Craft Beer Fest

Licensable activities

The sale by retail of alcohol

Yes

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

n/a

The provision of regulated entertainment

Yes

The provision of late night refreshment

Yes

Are you giving a late temporary event notice?

No

Please state the dates on which you intend to use these premises for licensable activities.

24-26th May

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock).

Friday 5pm -11pm Saturday 12pm -11pm Sunday 12pm -8pm

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers (maximum 499).

499

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both

On

Please state if the licensable activities will include the provision of relevant entertainment.

No

If yes selected, please state the times during the event period that you propose to provide relevant entertainment.

n/a

Personal Licence Details

Do you currently hold a valid Personal Licence?

Yes

Issuing Authority

Stockport

Licence Number

574660

Date of Issue

15/10/2015

Date of Expiry

n/a

Any further relevant details

n/a

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

No

If answering yes, please state the number of temporary event notices you have given for events in that same calendar year

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your associate have given for events in the same calendar year

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

No

If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.

n/a

a) ends 24 hours or less before; orb) begins 24 hours or less afterthe event period proposed in this notice?

No

Declaration and Payment New

Name

Capacity in which you are making this application

Director

Additional information

I understand

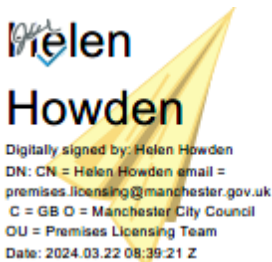
Yes

These are the files included with this application :-

Acknowledgement

I acknowledge receipt of this temporary event notice

Signature:



Helen Howden
Digitally signed by: Helen Howden
DN: CN = Helen Howden email = premises.licensing@manchester.gov.uk
C = GB O = Manchester City Council
OU = Premises Licensing Team
Date: 2024.03.22 08:39:21 Z

On behalf of the Licensing Authority

Date:

Name of officer signing:





Subject: Re: Submission of TEN: Didsbury Sports Ground, Ford Lane, Didsbury, Manchester, M20 2RU / 24-26th May / EF1/1146612, ref: 299246SMC

Good morning Aisha,

Please see the below Site Plan - I have marked up generally to scale as an example layout of the site that is subject to ongoing amendment as a working plan.

Given it's a TEN application, it's not entirely suitable to develop a CAD drawing at this stage, so I hope this is acceptable.

Operating Schedule

Friday 24th - 5pm to 10pm outdoors under TEN, then 10pm onwards indoors under PREM 154908

Saturday 25th - 12pm to 10pm outdoors under TEN, then 10pm onwards indoors under PREM 154908

Sunday 26th - 1pm to 8pm outdoors under TEN, then 8pm onwards indoors under PREM 154908

Crowd control

The accessible area of the site for customers is c.2000sqm - in principle, it has space for up to 1000 people at a density of 1 person per 2m².

The proposed TEN will provide access for up to 499 people, the site has an existing premises license (reference 154908)

Total onsale ticketed capacity is therefore proposed at 460 people only, with 39 staff

There will be an SIA security team of 1 guard per 100 customers = 5 staff

There will be additional stewards and event staff to support safe management of the event

This will be a pedestrian access only event - no vehicles will be permitted to enter the site unless a trader or staff badge is presented

Access rules will be communicated during pre-event communications to ticket holders and promoted in social media and website information, as well as to club members via DSG

We expect the event to be attended in the main by local people, living within the vicinity of the site - people travelling will be encouraged to take public transport, or exit taxis in a safe area of the A5145 before walking to site

Stewards will be deployed at the junction of Ford Lane and Fordbank Road, to challenge vehicles attempting to drive to the site, informing them of the walk up policy and asking drivers to 'please turn left/right to exit the estate at the main road'

Noise Management, Dispersal & Evacuation Capacity

We will develop and maintain a Noise Management Plan to enforce decibel limits from sources of amplified noise, i.e. stage

This will be coordinated by the on-site Production Manager and Head Sound Technician, who will set volume levels at the mixing desk so audio cannot exceed 65dBA

For dispersal from site, we will effectively communicate with patrons to ask them to please respect local residents and leave site in an orderly manner, displaying clear signage to that effect

Guests will be communicated with pre-event to explain that anybody seeking taxi collection, should order this to a safe area of the A5145, walking out from the site and into the high street to be collected

The operating schedule has been adjusted to ensure that the outdoor event is curfewed by 10pm instead of the 11pm licensed curfew proposed in the application - this will give enough time for orderly ingress to the building, or egress from site well ahead of the cut off point and a slow 'winding-down' of the event to safely stage the egress of customers

We hope that this process will ensure that potential for disruption will be minimised in the local area - we will ensure that bins are clearly accessible at both interior and exterior exit points, with guests challenged to dispose of litter in hands before leaving

Welfare - there will be no portaloos available on site, the audience will instead use toilets available in the Clubhouse

The main exit point is 6.5m wide - which provides a flow rate of 6.5m width x 8 minutes x 82 persons/minute = 4264 person exit capacity, far exceeding the requirement

In an event where the access to site via Ford Lane needs to be maintained as a blue/red route, guests can be stewarded to an emergency evacuation assembly point in an area of safety behind stage, through a take-out gate in the heras fenceline

Risk assessments

Full event safety risk assessments will be performed by the organising team ahead of the event and can be provided to the council at request

All equipment used in the event is owned and will be delivered by one operator, working under H&S policies, Method Statements and correct insurances

There are no large Temporary Demountable Structures, only small canvas stretch tent canopies and event gazebos. The stage is a trailer stage, with a simple roll-on, roll-off build method and therefore the event is low-impact from a supplier and infrastructure perspective and will cause little disruption to local residents during the build period, which we expect to take two days for build and one day for de-rig.

Information presented in this email is presented without prejudice, for information purposes only. It is subject to discussion, further development and approvals of interested parties.

We are keen to demonstrate the ability to run a safe, well organised and respectful event that does not cause serious disruption to the local community. In reality this is a minor event in terms of attendance.

Thank you for confirming that there have been some objections to the application, on the other hand we have received many positive offers of support from neighbouring residents too.

I would propose that if the application is not granted upfront and instead referred to the licensing sub-committee, that we are keen to communicate with those who objected before the date of the committee to work on relations and potentially seek withdrawal of complaints.

If agreeable to objectants, the club and organiser would welcome an introduction to, or invitation to a meeting extended to those people - we would be open to holding a consultation event at the clubhouse to hear the concerns of residents and clearly explain the parameters of the proposed delivery and how it will be run sensitively in line with their interest.

Best regards,

██████████

██████████

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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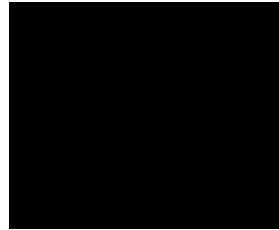
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GREATER MANCHESTER POLICE



To: Manchester City Council
Licensing Unit
Town Hall Extension

To:



27th March 2024

Please accept this letter as formal notification that Greater Manchester Police wish to object, under Section 104(2) of the Licensing Act 2003, to the **TEMPORARY EVENT NOTICE** detailed below, as we are satisfied that granting the application under these circumstances would undermine the Prevention of Crime and Disorder and the Prevention of Public Nuisance Objectives.

PREMISES NAME:	Didsbury Sports Ground
ADDRESS:	Ford Lane Manchester M20 2RU
DATE OF EVENT:	24/05/24 - 26/05/2024
TIME OF EVENT:	1700 – 2300, 1200 – 2300 & 1200 - 2000 hrs

Greater Manchester Police have assessed this TEN submission, and the likely impact of it taking place, and we have serious concerns that the licensing objectives will be undermined should the event go ahead.

Specifically, our concerns are:

For an event which has such a potential for disruption to local residents it is concerning that there has been no prior consultation with local residents, local councillors or any of the responsible authorities.

GREATER MANCHESTER POLICE

The calibre of the artists who are scheduled to perform at the event is likely to generate huge interest amongst music lovers and it is a real concern that far greater numbers than 499 will descend upon the event once the word spreads. This will then most likely result in calls being made to GMP from both the organisers and local residents.

The policy document states that there will be 5 SIA security staff on duty but makes no mention of where they will specifically be deployed, or what their roles will be. It also states that there will be additional stewarding but does not elaborate on this so again it is unclear as to how many there will be or what their specific deployments will be.

The policy states that the event will be pedestrian only and there will be no vehicular access for attendees (other than trades people). It goes on to say that the organisers expect the event to be attended by local people who will walk to the event or use public transport, but this cannot be known and there is a real possibility that large numbers of attendees will drive to the event. There is nothing anywhere within the TEN or the supporting policy which addresses where people can park their cars in a manner which will not impact on the local residents.

It states that stewards will be deployed at the junction of Ford Lane and Fordbank Road, to challenge vehicles attempting to drive to the site, informing them of the walk up policy and asking drivers to 'please turn left/right to exit the estate at the main road' but it makes no mention of what they will tell the drivers to do with their vehicles which is likely to result in absolute chaos.

The policy document states that the organisers will develop and maintain a Noise Management Plan to enforce decibel limits from sources of amplified noise, i.e., stage but this Noise management Plan has not been shared so its effectiveness and robustness cannot be ascertained.

In relation to dispersal the policy states that the organisers will effectively communicate with patrons to ask them to please respect local residents, and leave site in an orderly manner, displaying clear signage to that effect.

Guests will be communicated with pre-event to explain that anybody seeking taxi collection, should order this to a safe area of the A5145, walking out from the site and into the high street to be collected.

Whilst this is a welcome message to convey to attendees, there is nothing contained within the policy to show how this will be enforced or regulated by the security and stewards and, with the best will in the world, expecting people who have been consuming alcohol for several hours and watching live music to talk quietly when leaving the event is wishful thinking the request is likely to be ignored.

Regarding toilet provision, we are told that there will be no portaloos available on site, the audience will instead use toilets available in the clubhouse, but it doesn't state how many toilets there are in the clubhouse and, if this provision isn't sufficient, or long queues form, then this will inevitably lead to public urination.

GREATER MANCHESTER POLICE

Within the policy it states that full event safety risk assessments will be performed by the organising team ahead of the event and can be provided to the council at request. GMP would have expected these risk assessments to have been done prior to the TEN being submitted and prior to the sale of tickets and that these risk assessments would have been included within the documents submitted in support of the event.

In relation to the issues of littering the policy states the organisers will ensure that bins are clearly accessible at both interior and exterior exit points, with guests challenged to dispose of litter in their hands before leaving but it doesn't expand on this. Therefore, if people choose not to use the bins provided and subsequently dispose of their litter in residents' gardens or on the street, there is nothing to show what action will be taken by the organisers to address this.

In summary this TEN is extremely likely to adversely impact on the quality of life of persons who live in the area of the premises due to noise, littering and other anti-social behaviour. It will potentially attract greater numbers than anticipated and is likely to result in traffic chaos in the area.

A local councillor and local residents have already made contact with GMP and Manchester City council to express their concerns regarding this event taking place.

Therefore, Greater Manchester Police ask that this TEN is refused and a counter notice is served.

Signed:.....PC 17659 Isherwood..... (rank/pin/name)

Date/Time 27/03/24.....0800 hrs



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

Name	Mr Sion Roberts
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	sion.roberts@manchester.gov.uk
Telephone Number	0161 234 1220/07970477891

Premise Details	
Application Ref No	REF 299246
Name of Premises	Didsbury Sports Ground
Address	Ford Lane, Manchester, M20 2RU

Representation

Outline your representation regarding the above application below. This representation should describe the likely effect of the grant of the licence/certificate on the licensing objectives and on the vicinity of the premises.

Licensing & Out of Hours Compliance Team (LOOHT) as the responsible authority have assessed the likely impact of the grant of this Temporary Event Notice application taking into account a number of factors, including the nature of the area in which the premises is located and the proximity to residential accommodation, the hours applied for, and any potential risk that the grant of this application could lead to issues of public nuisance and public safety.

Event Details

Premises name: Didsbury Sports Ground

Premises address: Ford Lane, Manchester, M20 2RU

Dates: 24 May 2024 to 26 May 2024

Times: Fri 5pm to 11pm, Sat 12 noon to 11pm, Sun 12 noon to 8pm

LOOH team have assessed the above application and associated operating schedule submitted by the applicant.

From the information provided the event appears to be of a similar nature to the recently refused licence variation application REF 286663. Albeit with reduced maximum numbers attending.

The event is over the 3 May Day Bank Holiday and will have a potential 499 max attendees including staff for each day/night. It is unclear from the application if non event attendees will continue to be able to use part the existing licensed premises not subject to the terms of the TEN.

The already advertised tickets for the Saturday and Sunday portion of the three-day event have options for day only and separate night. It is unclear how this will be managed on site with removal of non-night-time tickets holders hence accurate records of numbers on site.

Operating Schedule submitted states,
Friday 24th - 5pm to 10pm outdoors under TEN, then 10pm onwards
indoors under PREM 154908

Saturday 25th - 12pm to 10pm outdoors under TEN, then 10pm onwards
indoors under PREM 154908

Sunday 26th - 1pm to 8pm outdoors under TEN, then 8pm onwards indoors
under PREM 154908

It's unclear from the application how numbers will be monitored /controlled moving from the TEN area into the Licensed Premises after 22:00. The maximum capacity of the licensed premise has not been provided.

This does raise concerns in the upholding of the public safety and public nuisance licensing objectives.

Following on from the above as the licenced premises PREM 154908 has the following hours open to public there is the potential for all TEN attendees to remain on site until this terminal hour, albeit inside the premises. If this is the case LOOH has concerns of the potential for noise nuisance from dispersal of these numbers of attendees, at this later time.

In addition, there are also concerns that the premises will not be able control noise outbreak (music and people noise) from the egress and ingress potentially breaching its existing licence conditions due larger numbers (TEN attendees) inside the licenced premises, taking smoking breaks etc onto the patio area.

Fri	Sat	Sun
0800	0800	0800
0100	0100	0030

IN respect to the TEN application, the applicant has stated they are restricting the music levels to that not exceeding 65dba. It's unclear where this level will be assessed from either on or off site and their locations.

The style and genre of the music that the acts/DJs are playing are in their character bass heavy, this low frequency noise can result in increased disturbance to local residents.

The nearest residential properties are only 70 meters way, in an elevated position from the proposed stage area. Even if music are levels controlled, it will be still likely heard in the resident's garden at a minimum. This would be potentially for 3 days duration. The numbers of up to 499 patrons to the front of the stage, outdoor bar and food court area would create people noise that couldn't be controlled and as such likely to be heard from gardens at a minimum and potentially inside properties if windows open.

Whilst the operating schedule has stated attendees will be pre informed to book taxis at safe areas off A5145. It is a concern that during dispersal attendees will be booking or have already booked taxis that could be reasonably assumed will attempt to pick up their fare as close as possible to the venue. If stewards are preventing access for non-residents as suggested there is still high chance of noise nuisance for residents, congestion, and public safety issues at these pinch points, potentially lasting for several hours after the event has finished.

Also the operating schedule states attendees leaving will be challenged leaving if holding litter, this may prove impractical if large numbers are leaving at once, leading to litter nuisance away from the venue along residential streets of Ford Lane and Ford bank road. Litter potentially ending up on public highways and or in residential hedges/gardens. There is no information on the operating schedule in respect to managing this potential public nuisance.

Also, of concern for the LOOH team due to non-availability of public toilets after leaving the venue, attendees on foot, potentially intoxicated from a day/evening of drinking would be required to walk to Wilmslow Road before being able to access toilets possibly only available in a licensed premises at that time. The outcome could be public urination, along residential streets of Ford Lane and Ford bank Road.

A local councillor and local residents have already made contact with Greater Manchester Police and Manchester City council to express their concerns regarding this event taking place.

Despite the information provided in the operating schedule LOOH feels that the Temporary Event if approved would subject local residents to three days/evenings of unnecessary prolonged noise nuisance interfering with their enjoyment of their properties including gardens and immediate local area, thus undermining the Licensing objectives in relation to Public Nuisance and Public Safety.

Therefore, LOOH ask that this TEN is refused and a counter notice is served.

Recommendation:	Refuse Application
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	154908
Granted	04/09/2013
Latest version	DPS variation 269412 granted 10/02/2022

Part 1 - Premises details

Name and address of premises
Didsbury Sports Ground Ford Lane, Manchester, M20 2RU
Telephone number
0161 446 2146

Licensable activities authorised by the licence
<ol style="list-style-type: none"> 1. The sale by retail of alcohol*. 2. The provision of regulated entertainment, limited to: <ul style="list-style-type: none"> Live music; Recorded music; Performances of dance. <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

Sale by retail of alcohol							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0000	0000	0000	0000	0030	0030	0000
The sale of alcohol is licensed for consumption on the premises only.							
Seasonal variations and Non-standard Timings:							
Christmas Eve/New Year's Eve: Start 1100 Finish 0100							

Live music; Recorded music; Performances of dance							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0000	0000	0000	0000	0030	0030	0000
Licensed to take place indoors only.							

Seasonal variations and Non-standard Timings:
 Christmas Eve/New Year's Eve: Start 1100 Finish 0100

Hours premises are open to the public

Standard timings

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	0800	0800	0800	0800	0800	0800	0800
Finish	0030	0030	0030	0030	0100	0100	0030

Seasonal variations and Non-standard Timings:
 Christmas Eve/New Year's Eve: Start 1100 Finish 0100

Part 2

Details of premises licence holder

Name: Didsbury Sports Ground Limited
 Address: Ford Lane, Manchester, M20 2RU
 Registered number: 01587077

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol

Name: Lee Wilde
 Address: [REDACTED]

Annex 1 – Mandatory conditions

Door Supervisors

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.

Supply of alcohol

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. The patio area shall only be used between 1100 and 2200
2. Signs shall be displayed to remind people using the facilities to leave the clubhouse quietly and respect local residents.
3. Staff shall ensure people do not congregate outside the clubhouse, causing nuisance to local residents.
4. CCTV footage shall be retained to assist the Police.
5. The premises shall adopt a 'Challenge 21' policy.
6. All staff selling alcohol at the premises shall be trained in responsible alcohol retailing.
7. All doors shall remain closed after 2200 daily save for access and egress.
8. Children shall not be permitted on the premises unless in the company of an adult.

Annex 3 – Conditions attached after hearing by the licensing authority

Not applicable

Annex 4 – Plans

See attached

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