



## **Licensing Sub Committee Hearing Panel**

Date: Friday, 14 June 2019

Time: 10.00 am

Venue: Council Antechamber - Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

This is a supplementary agenda and contains information that was not available when the agenda was first 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. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk.

**There is no public access from the Lloyd Street entrances of the Extension.**

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

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**Councillors** - Ludford (Chair), Grimshaw and Evans

## Agenda

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|----|---|--------|
| 4. | <b>Application for a Temporary Event Notice for Kiki, 4 Canal Street, Manchester, M1 3HE</b>                                      | 3 - 6  |
| 5. | <b>Application for a Temporary Event Notice for the Church Hall, Unit 9 Vaughan Street Industrial Estate, Manchester, M12 5BT</b> | 7 - 72 |

### Further Information

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

Andrew Woods  
Tel: 0161 234 3043  
Email: [b.morgan@manchester.gov.uk](mailto:b.morgan@manchester.gov.uk)

This agenda was issued on **Tuesday, 11 June 2019** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA



**MANCHESTER  
CITY COUNCIL**

**Licensing & Out of Hours Compliance Team - Representation**

Name	Gary Cook
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	g.cook@manchester.gov.uk
Telephone Number	0161 234 1220

**Premise Details**

Application Ref No	232738
Name of Premises	Kiki
Address	4 Canal Street, Manchester M1 3HE

**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.

The Licensing and Out of Hours Team have assessed the likely impact of the grant of this temporary event. Taking into account a numbers of factors including the nature of the area, hours applied for and any potential risk that the granting of this temporary event could lead to issues of public nuisance.

The premises is on Canal Street within the village. The proposed event is for the provision of regulated entertainment outside of the premises during Manchester Pride. The premises propose the placement of a stage area and Marquee. This is in addition to another TEN that proposes the placement of an external bar on the cobbled pavement of Canal Street.

As a result of this assessment we have concerns that the grant of this application is likely to lead to issues of public nuisance, public safety and prevention of children from harm.

Canal Street is the main arterial route for pride with the majority of licenced premises located along its length. With large groups of people using the street to access premises and moving through to other parts of the village, this may cause people to stop and cause congestion. Due to the location of the proposed bar this has potential to also cause an obstruction to pedestrians and people enjoying Manchester Pride. There will also be associated litter from people stopping, eating and drinking.

The TEN states that there will be 20 people present including staff, it is unclear how people will be moved on or managed to ensure that this limit is complied with. There is no reference as to how security will operate within this area, this has potential to put greater pressure on the agencies such as Show Sec and St Johns Ambulance who have been brought in by Pride organisers to facilitate smooth running of the Pride event.

The stage would undoubtedly add to noise nuisance, with residential

properties in close proximity to the proposed stage and it is unclear how the premises will manage this.

This temporary event will undermine the objective of Prevention of Public Nuisance, Public Safety and Protection of Children from Harm.

I believe that the granting of this temporary event notice would be counterproductive to the Manchester Standards to promote the licensing objectives - MS1, MS7, MS8, MS9 and MS12.

Recommendation:	Refuse Application
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## GREATER MANCHESTER POLICE



To: Manchester City Council  
Licensing Unit  
Manchester Town Hall Extension  
Lloyd Street  
Manchester

To: Mr Adam Edwards



5<sup>th</sup> June 2019

Dear Sir

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 Licensing Objectives.

<b>PREMISES NAME:</b>	<b>Cobbled Area outside premises</b>
<b>ADDRESS:</b>	Kiki 4 Canal Street Manchester M1 3HE
<b>DATE OF EVENT:</b>	24/08/19 – 26/08/19
<b>TIME OF EVENT:</b>	1200 - 2000 hrs

GMP objects to the grant of this Temporary Event Notice on the grounds of the Prevention of Crime and Disorder, Public Safety and the Prevention of Public Nuisance.

The premises have applied for an outside bar on Canal Street during Pride. Other premises within the Pride footprint respect our informal agreement to not have venues selling directly onto Canal Street – this has been an ongoing agreement for many years and is fully supported by the Pride organisers and all other venues.

The main reason for this is the Public Safety objective – approximately 40,000 people attend the Pride event on Saturday and Sunday and Canal Street especially becomes extremely congested - additional queueing for a bar will cause further congestion, especially with venues increasingly having outside entertainment such as

**GREATER MANCHESTER POLICE**

dancers, singers etc on Canal Street causing further congestion in that area.

Allowing this TEN is likely to cause a ripple effect of other venues applying to serve alcohol onto Canal Street which could harm Public Safety and Crime & Disorder objectives.

As such we ask that this TEN application is refused.

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

Date/Time 5th June 2019 1715 hrs

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Subcommittee Hearing Panel – 14 June 2019

**Subject:** Church Hall, Unit 9, Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT - ref: LTN232771

**Report of:** Head 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:** Ardwick

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	

**Full details are in the body of the report, along with any implications for:**

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

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**Financial Consequences – Revenue - None**

**Financial Consequences – Capital - None**

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**Contact Officers:**

Name: Fraser Swift  
 Position: Principal Licensing Officer  
 Telephone: 0161 234 1176  
 E-mail: [f.swift@manchester.gov.uk](mailto:f.swift@manchester.gov.uk)

Name: Louise Dormer  
 Position: Technical Licensing Officer  
 Telephone: 0161 234 1460  
 E-mail: [Louise.dormer@manchester.gov.uk](mailto:Louise.dormer@manchester.gov.uk)

**Background documents (available for public inspection):**

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



## 1. Introduction

- 1.1 On 3 June 2019, a temporary event notice (TEN) was given under s100A of the Licensing Act 2003 in respect of Church Hall, Unit 9, Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT in the Ardwick 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 Gloria Dortey.
- 2.3 The description of the event is Party.
  - 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**.
- 2.4 **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.

## 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
<b>GMP</b>	GMP believe by granting this TEN it would undermine the Prevention of Crime & Disorder and Prevention of Public Nuisance objectives. GMP are aware of complaints and issues relating to the premises which Licensing & Out of Hours have dealt with and have no confidence that the event would be operated in a manner which upholds the Licensing Objectives.	Serve a counter notice
<b>Licensing and Out of Hours Compliance</b>	Licensing & Out of Hours Team have provided recent examples of visits made to the premises following noise complaints, where they witnessed offences which are currently under investigation. The times given on the TEN are late in consideration of the proximity of local residents and LOOHT have no confidence that the Licensing Objectives will be upheld.	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 licensing 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.

#### **Conclusion**

- 4.6 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.
- 4.7 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.
- 4.8 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.
- 4.9 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.
- 4.10 All licensing determinations should be considered on the individual merits of the notification.
- 4.11 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.
- 4.12 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.
- 4.13 **The Panel is asked to determine the temporary event notice.**



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CITY COUNCIL**

**Licensing & Out of Hours Compliance Team - Representation**

Name	Devon Bennett
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	devon.bennett@manchester.gov.uk
Telephone Number	0161 227 3147

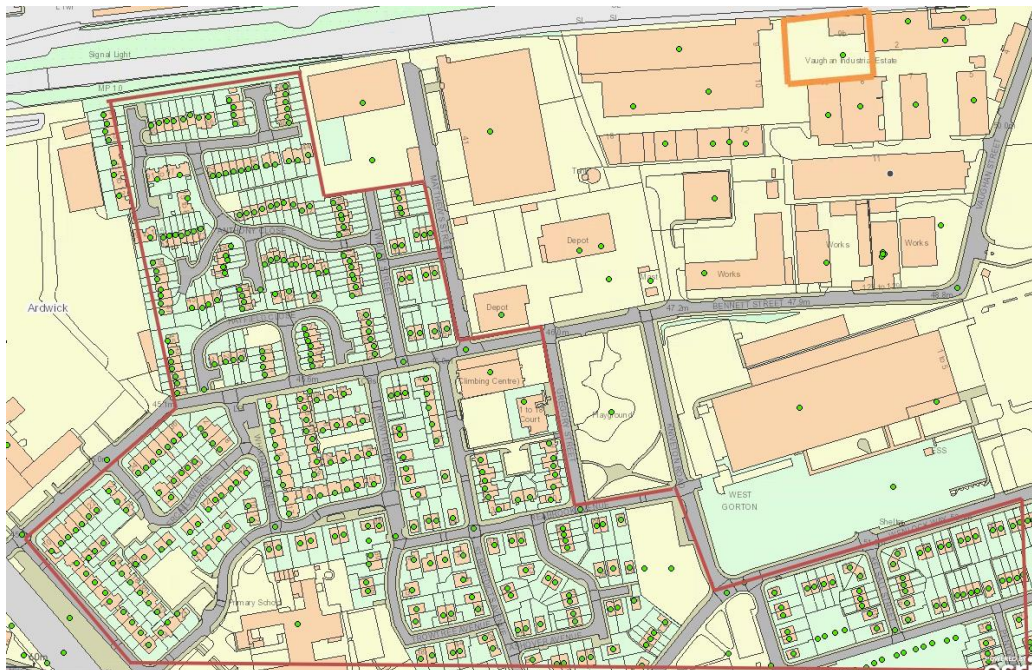
**Premise Details**

Application Ref No	232771
Name of Premises	Church Hall
Address	Unit 9, Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT

**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.

The church hall resides at Unit 9 Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT. The premises is set up with offices and a hall. The industrial estate hold approximately 15 other units and is located within an area of other industrial sites and residential properties. (see residential properties delineated on the map below in red with the TEN delineated in Orange).



The TEN has applied for 15<sup>th</sup> and 16<sup>th</sup> June 2019 with times of 15:00hrs to 04:30hrs on both days. The TEN has applied for the sale of alcohol on the premises. The Provision of Regulated Entertainment. The TEN has listed 250 persons in attendance.

On the 25<sup>th</sup> April 2019, Licensing and Out of Hours Team (LOOHT) received a noise complaint from a local resident regarding loud music and bass emanating from the Vaughan Street Industrial Estate, being described as “banging bass” Every Bank Holiday or within the School Holidays. The complainant was advised to call the team when the noise was disturbing them so officers could attend to witness the noise. At that time the exact location was unknown and therefore the standard warning letter sent to the alleged perpetrators was not sent.

On the 19<sup>th</sup> May 2019, LOOHT were requested to attend the residential property to witness a noise disturbance from the premises. Officers attended and assessed from both street level and within the residential property where music could be heard approximately 100m away from the industrial estate.

LOOHT investigated further the source of the noise and located to be emanating from the car park of the industrial estate. Two females were sat at the entrance to the estate. Officers spoke to a female who advised she was a trustee of the charity based at unit 9 and the unit was a church the Disciples Pentecostal Church.

On investigation LOOHT noted on the carpark a DJ set up with 4 speakers on the ground and 2 speakers on poles at head height, BBQ/food stall, and persons in attendance consuming alcohol. The trustee advised the event was in aid of a charity and no alcohol was on site. LOOHT advised they had witnessed a number of people outside with cans of Red Stripe lager, the trustee denied people had alcohol at the event. Explained the offences’ due to there being no authorisation regarding the regulated entertainment. The music was of a loud nature and was set-up on a car park on an unlicensed premises. The entertainment was not incidental music as provided central entertainment for the event, the entertainment was also not inside the church hall (or the entertainment could have been exempt). Under 16.3 of the Section Guidance 182 Licensing Act 2003 the event was not in private as any person could attend and therefore is open to a public audience.

Similarly the trustee was informed that the area was open to the public without payment and as per the Local Government Miscellaneous Provisions Act 1982 Schedule 4 Section 1(a). That the sale of food from the BBQ could require the need for authorisation under that Act. LOOHT advised again on how to apply for permission for future events of a similar nature. Later that evening LOOHT received another noise complaint and subsequently spoke to the organisers to reduce the sound levels.

On the 26<sup>th</sup> May 2019 LOOHT received a further noise complaint emanating from the Vaughan Street Industrial Estate. On investigation officers arrived at Vaughan Industrial Estate and observed 2 females selling pink paper wristbands for £5 at the entrance noted 2 SIA badged door staff with the females who agreed to alert the event organiser for LOOHT.

Officers walked through to a large outdoor industrial space and could see a drinks stand being set up with 3 spirits with optics on the end of the bottles. There were 2 gazebos set up, one side with seating and the other with a DJ and BBQ food. Loud excessive music and bass was audible again LOOHT

observed licensable activities taking place without authorisation and struggled to hold a conversation with organisers over the music volume. Officers believe there were 5 SIA doorman working.

The TEN applied for relating to this representation indicates the event will take place within the church hall, which will not cover the external area of the premises as previously used. The inside of the church hall is small in size and doubtful to hold 250 persons. We therefore have concerns as to how the capacity will be managed without causing disturbances to the local area.

The times applied for by the TEN are late in consideration to the proximity of local residents. We have concerns that allowing the TEN may cause further disturbance to local residents and events have taken place in the day time before, yet this TEN will allow the “party” to take place till 04:30hrs.

Due to LOOHT having witnessed licensing offences that are currently under investigation, officers feel they have no confidence that the Licensing Objectives will be upheld during this TEN. LOOHT therefore ask for the TEN to be refused.

Recommendation: Refuse

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

Document is Restricted

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**Witness Statements**  
(Criminal Procedure Rules, Part 27)

**Statement of witness**

*(Criminal Procedure Rules, r27.1 (1);  
Criminal Justice Act 1967, s.9, Magistrates' Courts Act 1980, s.5B)*

**STATEMENT OF Devon Bennett**

Age of witness: Over 18

Occupation of witness: **Licensing and Out of Hours Compliance Officer**

This statement consisting of 2 pages, signed by me and is true to the best of my knowledge and belief and I make it knowing that, if tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything, which I know to be false or do not believe to be true.

I am employed by Manchester City Council as a Licensing and Out of Hours Compliance Officer. Parts of my duties include the enforcement of Section 136, 137 and 138 of the Licensing Act 2003 in relation to the offence of Unauthorised Licensable Activities; Exposing Alcohol for Unauthorised Sale and Keeping Alcohol on the Premises for Unauthorised Sale.

On the 30<sup>th</sup> May 2019, Manchester City Council's Premises Licensing Team took receipt of a Late Temporary Event Notice from [REDACTED]. The event was proposed to take place at the Church Uni 9 Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT for 8<sup>th</sup> to 9<sup>th</sup> June 14:00 – 04:30 and the 9<sup>th</sup> to 10<sup>th</sup> June 14:00 – 04:30 for a 'Event BBQ party, birthday parties, weddings, christening ,etc'. (Copy of TEN Exhibited as DB01)

On the 31<sup>st</sup> May 2019 PC 17659 Alan Isherwood, issued an objection to the Late Temporary Event Notice under Section 104(2) of the Licensing Act 2003. (Copy of Objection exhibited at DB02)

On the 3<sup>rd</sup> June 2019, Manchester City Councils Premises Licensing Team issued a Counter Notice to [REDACTED] under Section 104A of the Licensing Act 2003 which stated that due to the objection by GMP, the temporary event applied for could not go ahead. (Copy of Counter Notice Exhibited as DB03)

On the 9<sup>th</sup> June 2019 at 00:07hrs, Manchester City Council's Licensing and Out of Hours Compliance Officers visited the Church, Unit 9 Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT. The visit was requested by myself to ensure that the event did not go ahead. The officers noted that there was a large event taking place at the premises and observed a number of licensable activities taking place.

Officers spoke to two females who claimed to be in charge of the event. One of those spoken to was [REDACTED] whilst the other was [REDACTED] who is a [REDACTED]. This individual has previously been in attendance when offences had been witnessed

and has also been issued verbal warnings on each offence date and written warnings.

Whilst Officers were in attendance they witnessed Licensing Act 2003 Offences taking place and therefore a criminal investigation is now underway. The facts and matters set out in this statement were compiled from documents held by the Authority. The documents to which I have referred form part of the Authority's records maintained in the course of its profession. These records were compiled by people who had or may reasonably be supposed to have had, personal knowledge of the matters dealt with in the course of their profession but of which those people cannot reasonably be expected to have recollection of those matters having regard to the time which has elapsed since they created the document and to all the relevant circumstances.

Dated: 10th June 2019

Signed: 

*Formerly form 13, Magistrates' Courts' (Forms) Rules 1981 (SI 1981/553), relating to rule 70 of the Magistrates' Courts Rules 1981, section 9 of the Criminal Justice Act 1967 and section 5B of the Magistrates' Courts Act 1980.*

# Temporary Event Notice

Payment Transaction number:- ASA/403813 | Form Reference number ASA/3142261

## Premises User Information

Title

[REDACTED]

If other please state

Greater Manchester

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

[REDACTED]

Address

n/a

Telephone

n/a

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email

n/a

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## 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)

Unit 9 Vaughan Industrial estate.  
Vaughan Street  
M12 5BT  
Gorton

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.

n/a

Please describe the nature of the premises

Events, Charities programmes, Church meetings and different type of events

Please describe the nature of the event

Event BBQ party, birthday parties, weddings, christening ,etc

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## 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

Yes

The provision of regulated entertainment

Yes

The provision of late night refreshment

Yes

Are you giving a late temporary event notice?

Yes

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

7th June 2019

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

14:00 to 04.30

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).

250

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

Off

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?

No

Issuing Authority

n/a

Licence Number

n/a

Date of Issue

n/a

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

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## Declaration and Payment New

Name

[REDACTED]

Capacity in which you are making this application

I will like to have it within the week of the date stated for the licence

---

## Additional information

I understand

Yes

---

These are the files included with this application :-

Acknowledgement

I acknowledge receipt of this temporary event notice

Signature:

On behalf of the Licensing Authority

Date:

Name of officer signing:

[REDACTED]>  
Date: Thu, 30 May 2019 at 12:54  
Subject: Re: Submission of TEN: Unit 9 Vaughan Industrial estate. Vaughan Street M12 5BT Gorton, 7th June 2019, ASA/3142261  
To: Premises Licensing <premises.licensing@manchester.gov.uk>

It's both on the premises. Thanks

On Thu, 30 May 2019, 12:46 Premises Licensing, <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)> wrote:  
Hello [REDACTED]

You have also put that alcohol will be for consumption off the premises. Surely people will be drinking the alcohol at the event so you should have put "On" or "both on and off the premises". Please confirm which you require.

Regards

Patrick

----- Forwarded message -----

From: **Premises Licensing** <[premises.licensing@manchester.gov.uk](mailto:premises.licensing@manchester.gov.uk)>  
Date: Thu, 30 May 2019 at 12:34  
Subject: Fwd: Submission of TEN: Unit 9 Vaughan Industrial estate. Vaughan Street M12 5BT Gorton, 7th June 2019, ASA/3142261  
To: <[REDACTED]>

Dear [REDACTED]

Further to our telephone call, please confirm the following by replying to this email:

The premises is a church and church hall.  
The part of the premises where the event will take place is the Church Hall.  
The event will start on 8th June 2019 **(Please confirm finish date and finish time on 9th or 10th)**  
There will be a party and barbecue starting at 1400 and finishing at 0430 on 9th June.  
There will be a second party starting on 9th June **(Please confirm start time and finish time).**

Regards  
Patrick Ware  
0161 234 4858

## GREATER MANCHESTER POLICE



To: Manchester City Council  
Licensing Unit  
Town Hall Extension

To: [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

31<sup>st</sup> May 2019

Dear Madam,

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 **LATE 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.

<b>PREMISES NAME:</b>	Church Hall
<b>ADDRESS:</b>	Unit 9 Vaughan Street Industrial Estate Vaughan Street Manchester M12 5BT
<b>DATE OF EVENT:</b>	08/06/19 – 10/06/19
<b>TIME OF EVENT:</b>	1400 – 0430hrs

**This is a Late TEN submission.**

Greater Manchester Police have already dedicated resources to safely police the area over this period and by allowing this Temporary Event will mean that Police resources will be stretched even further and, because of the late notification for the event, there is insufficient time for the local officers to factor this event into their patrol plan.

Therefore Greater Manchester Police ask that this Late application is refused.

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

Date/Time 31/05/19.....1840 hrs



**MANCHESTER  
CITY COUNCIL**

**Premises Licensing Team**

Telephone: +44 (0)161 234 5004

premises.licensing@manchester.gov.uk

Level 1 Town Hall Extension, Albert Square

PO Box 532, M60 2LA

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

3 June 2019

Ref: LT7232671

[REDACTED]

Subject line: Counter Notice following objection to Late Temporary Event Notice – TEN ref 232671/AM2: Church Hall, Unit 9, Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT, from 8 June 2019 to 10 June 2019.

Dear Sir / Madam

**COUNTER NOTICE (LATE TEMPORARY EVENT NOTICE)**

**Premises name:** Church Hall

**Premises address:** Unit 9, Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT

On 31 May 2019 Manchester City Council Licensing Unit received from [REDACTED] a late temporary event notice in respect of proposed temporary licensable activities due to take place on 8 June 2019 to 10 June 2019 at Church Hall, Unit 9, Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT.

Please be advised that the Licensing Unit has received an objection under section 104(2) of the Licensing Act 2003 ("the Act").

Where an objection notice is given in respect of a late temporary event notice the Licensing Unit must give the premises user a counter notice under section 104A of the Act. The counter notice is enclosed with this letter.

**The serving of a counter notice means the event cannot take place.**

Should you require any further information, please contact the undersigned on 0161 234 4139.

Yours faithfully

Ashia Maqsood



Premises Licensing Team  
Manchester City Council  
PO Box 532  
Manchester M60 2LA

### Counter Notice (Late Temporary Event Notice) – Permitted Temporary Activities

On 31 May 2019 the licensing authority received from you, [REDACTED], a late temporary event notice (“the notice”) in respect of proposed temporary licensable activities due to take place on 8 June 2019 to 10 June 2019 at Church Hall, Unit 9, Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT. The licensing authority has received an objection under section 104(2) of the Licensing Act 2003 (“the Act”).

The objection which applies is indicated by an “X” in the following table.

Objection	Insert “X” as applicable
A chief officer of police for any police area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.	<b>X</b>
A local authority exercising environmental health functions for the area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.	

A copy of this counter notice will be sent to the chief of police and the local authority exercising environmental health functions for the area in which the premises specified in the late temporary event notice you gave is situated.

The Licensing Act 2003 does not make provision for you to appeal against this counter notice.

Under section 136 of the Licensing Act 2003, a person commits an offence if he carries on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or if he knowingly allows a licensable activity to be so carried on. A person convicted of such an offence is liable to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.

<b>Signature:</b>	On behalf of the licensing authority	<b>Date:</b>	
<b>Name of Officer signing:</b>			





**MANCHESTER  
CITY COUNCIL**

**Premises Licensing Team**

Telephone: +44 (0)161 234 5004

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3 June 2019

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<b>Signature:</b>	On behalf of the licensing authority	<b>Date:</b>	
<b>Name of Officer signing:</b>			

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**PREMISE NAME:** Church Hall

**PREMISE ADDRESS:** Unit 9, Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT

**WARD:** Ardwick

**HEARING DATE:** 14/06/2019

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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:- ASB/125469 | Form Reference number ASB/3146153

## Premises User Information

Title

██████

If other please state

*n/a*

Surname

██████

Forenames

██████

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

██████

Your date of birth

██████████

Your place of birth

██████

National Insurance Number

██████████

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

██████████  
██████████  
██████████

Telephone

██████████

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email address

[REDACTED]

Address

n/a

Telephone

n/a

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email

n/a

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## 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)

Unit 9 Vaughan Industrial estate  
Vaughan Street.  
Manchester  
M12 5BT

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.

n/a

Please describe the nature of the premises

Church hall

Please describe the nature of the event

Party

## 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

No

The provision of regulated entertainment

Yes

The provision of late night refreshment

No

Are you giving a late temporary event notice?

No

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

15/06/2019 - 16/06/2019

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

15:00 - 0430

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).

200

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?

No

Issuing Authority

n/a

Licence Number

n/a

Date of Issue

n/a

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

[REDACTED]

Capacity in which you are making this application

Party

---

## Additional information

I\_understand

Yes

---

These are the files included with this application :-

Acknowledgement

I acknowledge receipt of this temporary event notice

Signature:

On behalf of the Licensing Authority

Date:

Name of officer signing:

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## GREATER MANCHESTER POLICE



To: Manchester City Council  
Licensing Unit  
Town Hall Extension

To: Miss Gloria Dortey

6<sup>th</sup> June 2019

Dear Madam,

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.

<b>PREMISES NAME:</b>	Church Hall
<b>ADDRESS:</b>	Unit 9 Vaughan Street Industrial Estate Vaughan Street Manchester M12 5BT
<b>DATE OF EVENT:</b>	15/06/19 – 16/06/19
<b>TIME OF EVENT:</b>	1500 – 0430hrs

Since GMP have had receipt of this TEN I have spoken to my colleagues, who work in the Manchester City Council Licensing and Out of Hours Team, and it has been brought to my attention that there are issues with the premises and its operation.

They have received several noise complaints in relation to events that have taken place at the premises and when the LOOH officers have attended to deal with these complaints they have witnessed unauthorised licensable activities taking place.

As such GMP have no confidence that the event would be operated in a manner which upholds the Licensing Objectives.

Therefore Greater Manchester Police ask that this application is refused.

**GREATER MANCHESTER POLICE**

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

Date/Time 06/06/19.....1240 hrs



**MANCHESTER  
CITY COUNCIL**

**Licensing & Out of Hours Compliance Team - Representation**

Name	Devon Bennett
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	devon.bennett@manchester.gov.uk
Telephone Number	0161 227 3147

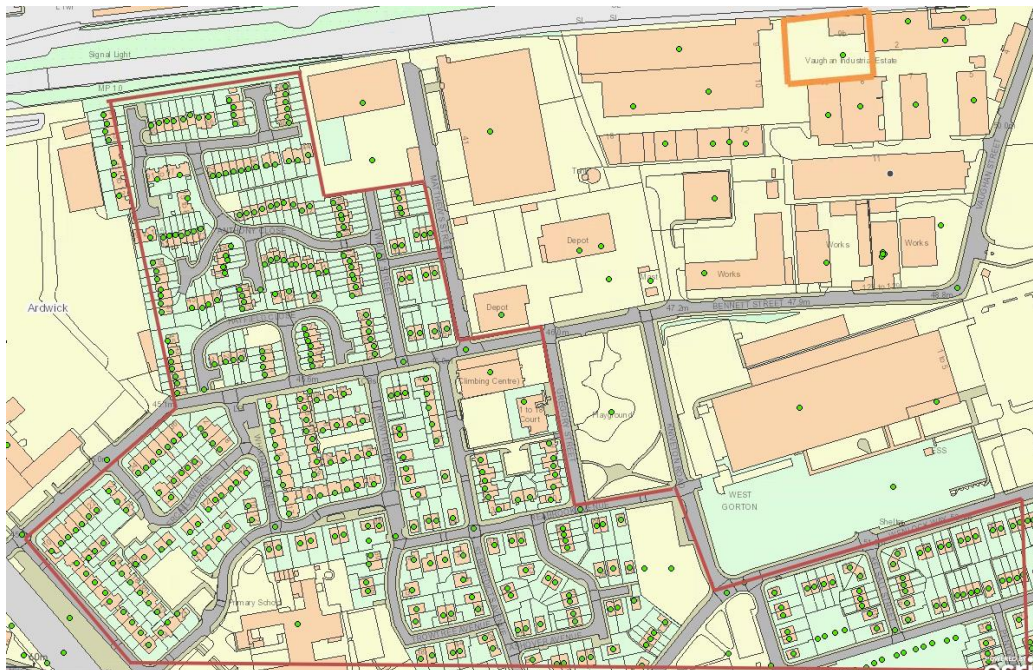
**Premise Details**

Application Ref No	232771
Name of Premises	Church Hall
Address	Unit 9, Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT

**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.

The church hall resides at Unit 9 Vaughan Street Industrial Estate, Vaughan Street, Manchester, M12 5BT. The premises is set up with offices and a hall. The industrial estate hold approximately 15 other units and is located within an area of other industrial sites and residential properties. (see residential properties delineated on the map below in red with the TEN delineated in Orange).



The TEN has applied for 15<sup>th</sup> and 16<sup>th</sup> June 2019 with times of 15:00hrs to 04:30hrs on both days. The TEN has applied for the sale of alcohol on the premises. The Provision of Regulated Entertainment. The TEN has listed 250 persons in attendance.

On the 25<sup>th</sup> April 2019, Licensing and Out of Hours Team (LOOHT) received a noise complaint from a local resident regarding loud music and bass emanating from the Vaughan Street Industrial Estate, being described as “banging bass” Every Bank Holiday or within the School Holidays. The complainant was advised to call the team when the noise was disturbing them so officers could attend to witness the noise. At that time the exact location was unknown and therefore the standard warning letter sent to the alleged perpetrators was not sent.

On the 19<sup>th</sup> May 2019, LOOHT were requested to attend the residential property to witness a noise disturbance from the premises. Officers attended and assessed from both street level and within the residential property where music could be heard approximately 100m away from the industrial estate.

LOOHT investigated further the source of the noise and located to be emanating from the car park of the industrial estate. Two females were sat at the entrance to the estate. Officers spoke to a female who advised she was a trustee of the charity based at unit 9 and the unit was a church the Disciples Pentecostal Church.

On investigation LOOHT noted on the carpark a DJ set up with 4 speakers on the ground and 2 speakers on poles at head height, BBQ/food stall, and persons in attendance consuming alcohol. The trustee advised the event was in aid of a charity and no alcohol was on site. LOOHT advised they had witnessed a number of people outside with cans of Red Stripe lager, the trustee denied people had alcohol at the event. Explained the offences’ due to there being no authorisation regarding the regulated entertainment. The music was of a loud nature and was set-up on a car park on an unlicensed premises. The entertainment was not incidental music as provided central entertainment for the event, the entertainment was also not inside the church hall (or the entertainment could have been exempt). Under 16.3 of the Section Guidance 182 Licensing Act 2003 the event was not in private as any person could attend and therefore is open to a public audience.

Similarly the trustee was informed that the area was open to the public without payment and as per the Local Government Miscellaneous Provisions Act 1982 Schedule 4 Section 1(a). That the sale of food from the BBQ could require the need for authorisation under that Act. LOOHT advised again on how to apply for permission for future events of a similar nature. Later that evening LOOHT received another noise complaint and subsequently spoke to the organisers to reduce the sound levels.

On the 26<sup>th</sup> May 2019 LOOHT received a further noise complaint emanating from the Vaughan Street Industrial Estate. On investigation officers arrived at Vaughan Industrial Estate and observed 2 females selling pink paper wristbands for £5 at the entrance noted 2 SIA badged door staff with the females who agreed to alert the event organiser for LOOHT.

Officers walked through to a large outdoor industrial space and could see a drinks stand being set up with 3 spirits with optics on the end of the bottles. There were 2 gazebos set up, one side with seating and the other with a DJ and BBQ food. Loud excessive music and bass was audible again LOOHT

observed licensable activities taking place without authorisation and struggled to hold a conversation with organisers over the music volume. Officers believe there were 5 SIA doorman working.

The TEN applied for relating to this representation indicates the event will take place within the church hall, which will not cover the external area of the premises as previously used. The inside of the church hall is small in size and doubtful to hold 250 persons. We therefore have concerns as to how the capacity will be managed without causing disturbances to the local area.

The times applied for by the TEN are late in consideration to the proximity of local residents. We have concerns that allowing the TEN may cause further disturbance to local residents and events have taken place in the day time before, yet this TEN will allow the "party" to take place till 04:30hrs.

Due to LOOHT having witnessed licensing offences that are currently under investigation, officers feel they have no confidence that the Licensing Objectives will be upheld during this TEN. LOOHT therefore ask for the TEN to be refused.

Recommendation: Refuse

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