



Licensing Sub Committee Hearing Panel

Date: Monday, 29 July 2019

Time: 10.00 am

Venue: Room G4, Friends Meeting House, 6 Mount Street,
Manchester

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.

Membership of the Licensing Sub Committee Hearing Panel

Councillors - Ludford (Chair), T Judge and Stone

Agenda

- | | | |
|------|--|---------|
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| 8. | Temporary Event Notice - Land by On Bar, 46 Canal Street, Manchester, M1 3WD
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Further Information

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

Andrew Woods
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This agenda was issued on **Thursday, 25 July 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
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 29 July 2019

Subject: Eagle Bar, 15 Bloom Street, Manchester, M1 3HZ - ref: LTN234738

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.

Ward Affected: Piccadilly

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: f.swift@manchester.gov.uk

Name: Patrick Ware
 Position: Technical Licensing Officer
 Telephone: 0161 234 4858
 E-mail: p.ware@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 18 July 2019, a temporary event notice (TEN) was given under s100A of the Licensing Act 2003 in respect of Eagle Bar, 15 Bloom Street, Manchester, M1 3HZ in the Piccadilly 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 Andrew Underwood.
- 2.3 The description of the event is Pride:Bar & small stage in area already licensed for alcohol.
- 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**:

- Plan of Premises
- Plan of external area

3. **Objection Notice(s)**

3.1 An objection notice was received 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. GMP also submitted a representation but this has been withdrawn following discussions with the applicant.

3.2 Summary of the objections:

Party	Grounds of representation	Recommends
Licensing and Out of Hours Compliance	Concerns that the erection of an external bar and stage for an extended period of time would take up a large area. As people queue to be served this would limit the flow of people causing a bottle neck given rise to potential public nuisance.	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.**



PREMISE NAME: Eagle Bar

PREMISE ADDRESS: 15 Bloom Street, Manchester, M1 3HZ

WARD: Piccadilly

HEARING DATE: 29/07/2019

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Temporary Event Notice

Payment Transaction number:- ASA/452492 | Form Reference number ASA/3224041

Premises User Information

Title

Mr

If other please state

n/a

Surname

Forenames

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

n/a

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

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)

eagle bar
15 bloom Street
Manchester
M1 3HZ

Premises licence number

123117

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.

Licensed outside area on pavement

Please describe the nature of the premises

Bar

Please describe the nature of the event

bar and small stage within the area already licensed for alcohol sales. During the Manchester pride weekend

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.

24/08/19, 25/08/19 and 26/08/19

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

12:00 until 23:00

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

Both

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

Yes

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

12:00 until 20:00

Personal Licence Details

Do you currently hold a valid Personal Licence?

Yes

Issuing Authority

manchester

Licence Number

094006

Date of Issue

26/09/2006

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

applicant

Additional information

I_understand	Yes
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These are the files included with this application :-

Acknowledgement

I acknowledge receipt of this temporary event notice

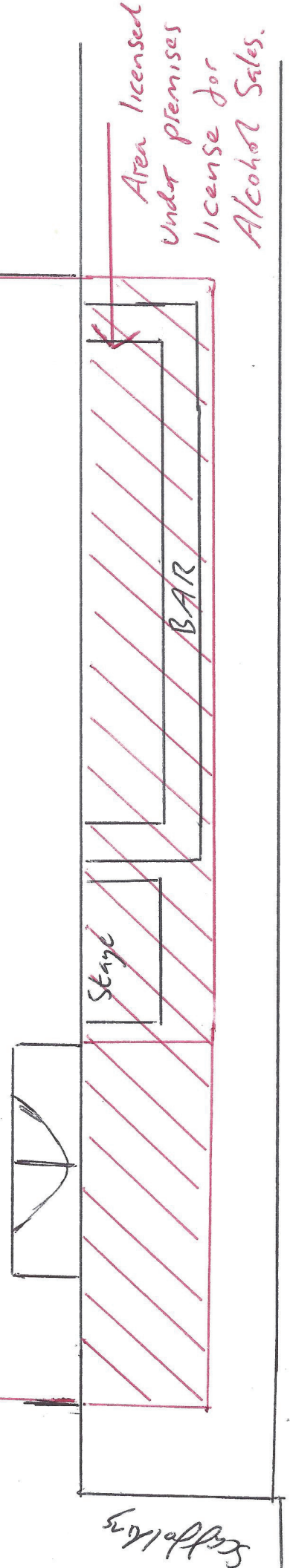
Signature:

On behalf of the Licensing Authority

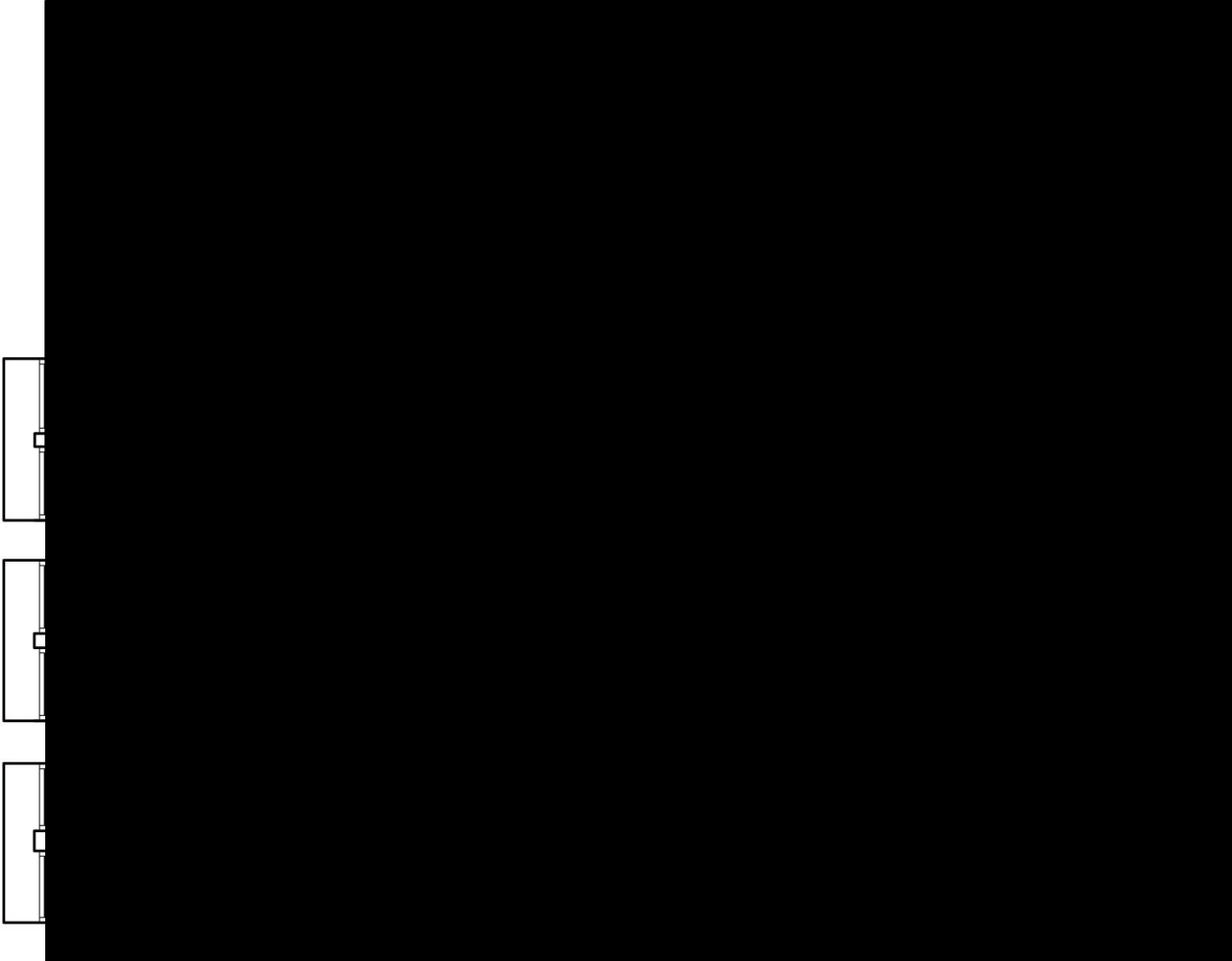
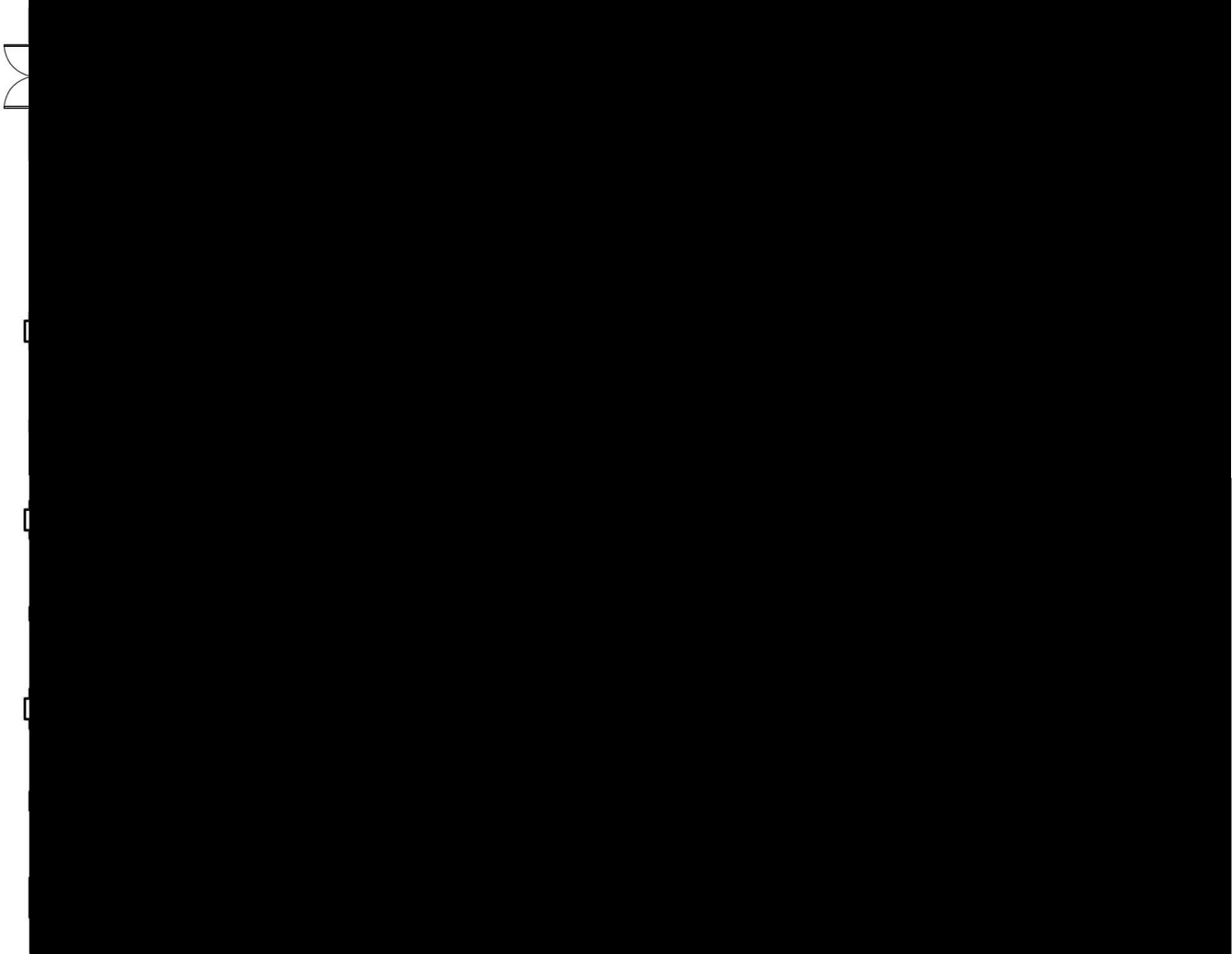
Date:

Name of officer signing:








Eagle bar, 15 Bloom St.



Bloom Street.



BASEMENT PLAN

-  = Green Shaded Area Represents Sale of Alcohol & Other Licensable Activities
 -  = Smoke or Heat Detectors
 -  = Emergency Light
 -  = Emergency Exit Light
 -  = Fire Alarm Sounder
 -  = Outline of Premises
 -  = Yellow shaded area represents outside licensed sale of alcohol outside.
- Scale = 1:100

Eagle bar Temporary event notice conditions

No glass will be handed over the bar at anytime, drinks will be served in plastic or cans.

SIA registered door staff will be employed.

Music will not cause a nuisance to residents.

[REDACTED] >
Date: Wed, 17 Jul 2019 at 16:32
Subject: Re: FW: Eagle Bar Temporary Event Notice Documents.
To: Premises Licensing <premises.licensing@manchester.gov.uk>

Hi Patrick

I've included it as it shows the outside area is already covered by the license for the sale of alcohol but for the avoidance of doubt I've reapplied for alcohol on the same times with the addition of Monday daytime which is currently not licensed and updated our plan showing bar and stage.

All relevant conditions that are on the license as imposed by the licensing 2003 act would still apply to the T.E.N. Others attached under heading annex 2 and annex 3 would apply with the exception of those that are not relevant or contradict what is been applied for.

I hope this helps?

Kind Regards
[REDACTED]

From: [REDACTED] > on behalf of Premises Licensing
<premises.licensing@manchester.gov.uk>
Sent: 17 July 2019 15:13
To: andrew underwood
Subject: Fwd: FW: Eagle Bar Temporary Event Notice Documents.

Hello [REDACTED]

You have forwarded your premises licence as one of your supporting documents. Please confirm whether the conditions contained within your premises licence will also apply to the TEN.

Regards

Patrick

[REDACTED] >
Date: Wed, 17 Jul 2019 at 16:14
Subject: Re: FW: Eagle Bar Temporary Event Notice Documents.
To: Premises Licensing <premises.licensing@manchester.gov.uk>

Hi Patrick

Sorry yes it should be regulated entertainment.

Kind Regards
[REDACTED]

From: [REDACTED] > on behalf of Premises Licensing
<premises.licensing@manchester.gov.uk>
Sent: 17 July 2019 14:54
To: [REDACTED]
Subject: Re: FW: Eagle Bar Temporary Event Notice Documents.

Re: Eagle Bar TEN for Pride 2019, 234738/PW5

Hello [REDACTED]

I have received your TEN. However, you have stated that you will be having relevant entertainment (as opposed to regulated entertainment). Relevant Entertainment is adult entertainment featuring nudity such as striptease. Please confirm by replying to this email whether or not there will be any relevant entertainment.

Regards

Patrick Ware

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 & Out of Hours Compliance Team - Representation

Name	Margaret Lewis
Job Title	Neighbourhood Compliance Officer
Department	Licensing and Out of Hours Compliance Team
Address	Level 1, Town Hall Extension, Manchester, M60 2LA
Email Address	m.lewis@manchester.gov.uk
Telephone Number	0161 234 1838

Premise Details

Application Ref No	REF 234738
Name of Premises	Eagle Bar
Address	15 Bloom Street, Manchester, M1 3HZ

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 and out of hours team (LOOHT) have assessed the likely impact of granting the Temporary Events Notice taking into account a numbers of factors, including, the nature of the area in which the premises is located, the hours applied for and any potential risk that the granting of this application could undermine the licensing objective.

The Eagle have applied to have a bar and small stage within an area already licensed for alcohol sales to be in place from 12:00 – 23:00. Their licence permits them to sell from a window onto bloom street, with SIA door staff employed to manage the queue.

The TEN is for 200 patrons to attend the stage and outside bar, but the applicant has not demonstrated how they intend to manage the area nor monitor the numbers. 200 is a significant number taking into account the limited space outside the venue generally, currently being hampered by the erection of scaffolding on the building to the side. We also feel that the time applied for is excessive 12:00 – 23:00.

I believe taking into consideration the numbers expected and the prime location of the bar, that erecting a bar and stage would give rise to public nuisance and asked the application is refused.

The basis for the objection is set out below:

The area outside is already licensed during pride and I feel that the licence should suffice. The erection of an external bar and stage for extended period of time, would taking up a large area, as people queue to be served this would limit the flow of people causing a bottle neck given rise to potential public nuisance.

Recommendation:	Refuse Application
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MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	123117
Granted	08/10/2009
Latest version	Minor Variation 217138 Granted 28/08/2018

Part 1 - Premises details

Name and address of premises
Eagle Bar 15 Bloom Street, Manchester, M1 3HZ
Telephone number 0161 228 6669

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: <ol style="list-style-type: none"> a. Performance of plays; b. Exhibition of films; c. Indoor sporting events; d. Live music; e. Recorded music; f. Performances of dance; g. Anything similar to live music, recorded music or the performance of dance. 3. The provision of late night refreshment. <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	1200	1200	1200	1200	1200	1200	1200
Finish	0300	0300	0300	0300	0600	0600	0400
The sale of alcohol is licensed for consumption on the premises only. <u>Off sales can take place on Pride Weekend: Friday until Monday</u>							
Seasonal variations and Non standard Timings:							
<u>The sale of alcohol in the outside area can only take place:</u> Monday to Friday 1700 and 2300 and Saturday and Sunday 1200 to 2300							
<u>New Year; Easter Weekend (Thursday, Good Friday, Saturday and Sunday); May Bank Holiday weekends (Friday, Saturday and Sunday); August Bank Holiday (Thurs, Fri, Sat, Sun & Mon):</u> Start 1200 Finish 0800							
<u>Christmas Eve and day preceding Christmas Eve:</u> Start 1200 Finish 0600							
On the day British Summertime starts one additional hour to be added to the terminal hour.							

Performance of plays; Exhibition of films; Indoor sporting events; Live music; Recorded music; Performances of dance; Anything similar to live music, recorded music or the performance of dance
Standard timings

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1200	1200	1200	1200	1200	1200	1200
Finish	0330	0330	0330	0330	0600	0600	0400

Licensed to take place indoors only.

Seasonal variations and Non standard Timings:

New Year; Easter Weekend (Thursday, Good Friday, Saturday and Sunday); May Bank Holiday weekends (Friday, Saturday and Sunday); August Bank Holiday (Thurs, Fri, Sat, Sun & Mon): Start 1200 Finish 0800
Christmas Eve and day preceding Christmas Eve: Start 1200 Finish 0600

On the day British Summertime starts one additional hour to be added to the terminal hour.

Provision of late night refreshment
Standard timings

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0330	0330	0300	0330	0600	0600	0400

Licensed to take place indoors only.

Seasonal variations and Non standard Timings:

New Year; Easter Weekend (Thursday, Good Friday, Saturday and Sunday); May Bank Holiday weekends (Friday, Saturday and Sunday); August Bank Holiday (Thurs, Fri, Sat, Sun & Mon): Start 2300 Finish 0800
Christmas Eve and day preceding Christmas Eve: Start 2300 Finish 0600

On the day British Summertime starts one additional hour to be added to the terminal hour.

Hours premises are open to the public
Standard timings

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1200	1200	1200	1200	1200	1200	1200
Finish	0400	0400	0400	0400	0700	0700	0500

Seasonal variations and Non standard Timings:

New Year, Easter Weekend (Thursday, Good Friday, Saturday and Sunday); May Bank Holiday weekends (Friday, Saturday and Sunday); August Bank Holiday (Thurs, Fri, Sat, Sun & Mon): Start 1200 Finish 0900
Christmas Eve and day preceding Christmas Eve: Start 1200 Finish 0700

On the day British Summertime starts one additional hour to be added to the terminal hour.

The outside area shall only be used during: 1700 to 2300 Monday to Friday and 1200 to 2300 Saturday and Sunday.

Part 2
Details of premises licence holder

Name: Andrew Underwood and Mr Nicholas Curtis
Address: Mossley Hall, Stamford Road, Mossley, OL5 0BA

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

Name: Mr Andrew David Underwood
Address: [REDACTED]
Personal Licence number: 94006
Issuing Authority: Manchester City Council

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) “valued 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.

Exhibition of films

9. The admission of children under the age of 18 to film exhibitions permitted under the terms of this certificate shall be restricted in accordance with any recommendations made:
- (a) by the British Board of Film Classification (BBFC) where the film has been classified by that Board, or
 - (b) by the Licensing Authority where no classification certificate has been granted by the BBFC, or where the licensing authority has notified the club which holds the certificate that section 20 (3) (b) (74 (3)(b) for clubs) of the Licensing Act 2003 applies to the film.

Annex 2 – Conditions consistent with the operating schedule

1. All sales of alcohol for consumption off the premises shall be in sealed containers only; with the exception of the Manchester pride festival when open plastic containers shall be permitted.
2. Staff training shall cover fire safety, in addition to the training specified in Para 3 of Annex 3.
3. Door clickers shall be used to manage capacity.
4. Emergency lighting and fire alarm shall be in operation at the premises.
5. First aid equipment shall be available on the premises.
6. Fire Exits shall be kept clear at all times.
7. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by, and to the satisfaction of, an authorised officer of the Environmental Health Service's Community Protection Department to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of an officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
8. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
9. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
10. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents in the vicinity.
11. All windows and doors shall be closed after 2300.
12. Door staff shall advise customers to be quiet outside the premises.
13. Telephone numbers of local taxi firms shall be displayed in a prominent area.
14. Deliveries, services and collections shall not take place outside the following hours 0900 to 2100.
15. No persons under the age of 18 shall be permitted on the premises.
16. During the August bank holiday weekend when Alcohol is sold from the window area on bloom street SIA door staff will be employed and a queuing system implemented. The sales will cease at 2300.

Annex 3 – Conditions attached after a hearing by the licensing authority

1. The Challenge/Think 21 policy shall be implemented in full and appropriate identification shall be sought from any person who appears under the age of 21. The only identification to be accepted shall be photo driving licence, passport or the PASS hologram.
2. Notices shall be displayed in prominent positions at the premises indicating that the Challenge / Think 21 policy is in force.
3. Staff training shall include the Challenge / Think 21 policy and its operation. In particular staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training shall be given to a new member of staff before they commence paid employment and all staff shall be retrained twice yearly. Training shall also include underage sales, drunkenness and drugs. All training shall be documented.
4. A refusal book shall be kept at the premises and this shall be checked each week by either the premises licence holder or the designated premises supervisor. The aim of the check is to ensure that staff are accurately recording refusals.
5. The refusal book shall be open to inspection by appropriate officers of Manchester City Council who provide identification to staff or by a uniformed officer of Greater Manchester Police.
6. SIA registered door staff shall be employed at the premises on a Friday and Saturday at a ratio of 1:100 with a minimum of two door staff from 2100 hours until 30 minutes after the premises closes to assist with the safe and orderly dispersal of customers. The need for extra door security shall be assessed by the Licence Holder or Designated Premises Supervisor on a regular basis and door staff on a regular basis and door staff shall be employed when and where the risk assessment deems this appropriate.
7. One SIA registered door staff member shall be on duty at the entrance to the 'Black Eagle' area of the premises from Midnight until the close of the premises.
8. A written record shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as security personnel in a register kept for that purpose. That record shall contain the following details: -
 - (i) the door supervisor's name, date of birth and home address;
 - (ii) his/her Security Industry Authority licence number;
 - (iii) the time and date he/she starts and finishes duty;
 - (iv) the time of any breaks taken whilst on duty;
 - (v) each entry shall be signed by the door supervisor.
 - (vi) That register shall be available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable.
9. Management and staff shall ensure that persons leaving the licensed premises conduct themselves in an orderly manner and do not in any way cause annoyance to residents and/or persons passing by.
10. Signs shall be displayed at the exits from the premises requesting that customers respect local residents and leave the premises in a quiet manner.
11. Local taxi numbers shall be available for customers to assist in ordering a taxi.
12. For any externally promoted event the Designated Premises Supervisor shall contact the City Centre Safe office at Bootle Street Police Station at least 28 days prior to the event so that the event can be properly risk assessed.
13. A digital hard drive CCTV system shall cover internal and external areas of the premises. Any area where customers have legitimate access must be sufficiently illuminated for the purposes of CCTV. All CCTV recorded images shall have sufficient clarity/quality/definition to enable facial recognition. CCTV shall be kept in an unedited format for a period of 28 days. Any DVD's subsequently produced shall be in a format that can be played back on a standard personal computer or standard DVD player. Any person left in charge of the premises shall be trained in the use of any such CCTV equipment and shall be able to produce/ download/burn CCTV images upon request by a person from a responsible authority. CCTV shall be maintained on a regular basis and kept in good working order. CCTV

maintenance records shall be kept; details of contractor used and work carried out shall be recorded. Plans indicating the position of CCTV cameras shall be submitted to be lodged with City Centre Safe. Where the recording is on a removable medium (i.e. videotape, compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

14. Any person who tries to gain entry to the premises who is involved in disorderly conduct or anti social behaviour outside the premises shall not be permitted entry to the premises. The premises licence holder shall ensure that any person within the premises who is involved in disorderly conduct or anti social behaviour inside the premises shall be removed from the premises.
15. Any person who is notified to the Designated Premises Supervisor by Greater Manchester Police as being a person of bad character by way of association to other persons or by convictions at court shall not be allowed to enter or allowed to remain in the premises.
16. A dispersal policy shall be drawn up by the Premises Licence Holder or Designated Premises Supervisor and lodged with City Safe prior to the premises opening for the first time.
17. A smoking policy shall be drawn up by the Premises Licence Holder or Designated Premises Supervisor and lodged with City Safe prior to the premises opening for the first time.
18. Staff shall make regular checks to ensure regulated entertainment is inaudible at the nearest noise sensitive property.
19. Staff shall make regular checks to ensure regulated entertainment is inaudible at the nearest noise sensitive property.
20. Implementation of Dispersal Policy as follows:
 - (i) There will be a last entry for the premises with no new customer being allowed to enter the premises after 04:00
 - (ii) Thirty minutes before the end of the time permitted for the provision of regulated entertainment in the venue, music levels shall be gradually reduced to a lower volume and tempo.
 - (iii) Thirty minutes before the end of the time permitted for the provision of regulated entertainment in the venue, customer announcements will be made requesting customers to leave the premises quietly.
 - (iv) Arrangements must be made to promote the services of taxi company's which can provide transport for customers to take them away from the premises quickly and which will operate a ring back scheme.
 - (v) Customer shall be permitted to stay inside the premises while waiting for taxi's
 - (vi) Door staff shall request customers who are leaving to leave the area quickly and quietly.
 - (vii) Door staff shall supervise the outside area of the premises to prevent customers from congregating. Customers congregating shall be requested to move away quickly and quietly
 - (viii) Full details of public transport links to the venue will be published on any web site maintained by the venue.
 - (ix) The premises web site will contain a map showing preferred dispersal routes from customers leaving by car and on foot and away from residential dwellings.
21. A maximum number of 8 tables and 32 chairs shall be provided with no more than 40 customers in the outside area at any one time.
22. The outside area shall only be used during 1700 to 2300 Monday to Friday and 1200 to 2300 Saturday and Sunday.
23. Door staff shall manage the outside area when on duty and control customers in order to prevent any noise disturbance.
24. When door staff not on duty bar staff shall manage the outside area when on duty and control customers in order to prevent any noise disturbance.
25. Signage shall be displayed at the exit to remind customers using the outside area to respect local residents and not to create a noise.
26. A dispersal policy to be drawn up and agreed by Environmental Health.

27. Only plastic receptacles are to be used in the outside seating area.
28. At 23:30 hours the use of glass receptacles will cease and all glasses will be cleared away by no later than Midnight. Polycarbonate receptacles will be used for all drinks from 23.30 hours. This will include the use of bottles, and all bottled drinks will be decanted into polycarbonate vessels.
29. Following the removal of glassware from the bar area(s), no items of glassware shall be within reach of customers.
30. A dedicated glass-collector is to be employed at the premises on Fridays and Saturdays from 22:00 until close of business.
31. Glasses are to be regularly collected to remove the potential for use of glassware as a weapon, should disorder occur. However, between the hours of 23.30 and Midnight glass collectors will remove any glass receptacles from within the premises, once the customer has consumed their drink.
32. Open containers of alcohol shall not be removed from the premises, including by customers who go outside to smoke.
33. Any glass waste will be stored in a locked area, with no access to customers or other members of the public.
34. Notification that the premises operate a Glass Policy will be displayed around the venue so that customers are aware of the removal of glass receptacles from 23.30 hours onwards.

Annex 4 – Plans

See attached - Updated by Minor Variation 217138 Granted 28/08/2018

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
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel –

Subject: Land by ON Bar, 46 Canal Street, Manchester, M1 3WD
Latitude 53.476533 Longitude -2.2375747 - ref: LTN234767

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.

Ward Affected: Piccadilly

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: f.swift@manchester.gov.uk

Name: Jean Clarke
Position: Technical Licensing Officer
Telephone: 0161 234 4375
E-mail: premises.licensing@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 18 July 2019, a temporary event notice (TEN) was given under s100A of the Licensing Act 2003 in respect of Land by ON Bar, 46 Canal Street, Manchester, M1 3WD in the Piccadilly 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 Anthony Cooper.
- 2.3 The description of the event is Manchester Pride
 - 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.
- 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**:
 - Photograph outside area

3. **Objection Notice(s)**

3.1 An objection notice was received from GMP and Licensing Out of Hours 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>Concerns regarding public safety in that during Pride, Canal Street especially becomes extremely congested - additional queueing for a bar will cause further congestion, especially with venues increasingly having outside entertainment such as dancers, singers etc on Canal Street causing further congestion in that area.</p> <p>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.</p> <p>GMP are also concerned about the hours the external bar will remain open until, as 2200 hrs is far too late for a bar which we believe will cause issues.</p>	Serve a counter notice
Licensing and Out of Hours Compliance	<p>Concerns regarding Prevention of Public Nuisance, Public Safety and Protection of Children from Harm.</p> <p>Historically this area of Canal Street over Pride becomes very congested.</p> <p>This congestion will be further exasperated by the addition of an external bar and stage directly next to the security entrance and exit and the likely queues that are associated with an external bar.</p> <p>The application also does not satisfy steps that will be taken to prevent proxy sales, and stated the bar will operate for 3 hours before SIA are on site. We would also expect to see a personal licence holder responsible for the</p>	Serve a counter notice

	<p>external space at all times as well as an explanation on how security personnel will manage the area and how the queueing system will operate.</p> <p>The Temporary Event application is unclear on how people will be moved on if the area becomes overcrowded or where the premises will include as their proposed responsibility.</p> <p>A significant queue may also put additional pressure on the bar staff to consider speed a priority, rather than consistent and satisfactory I.D checks, undermining the protection of children from harm objective.</p>	
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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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PREMISE NAME:	Land by ON Bar
PREMISE ADDRESS:	46 Canal Street, Manchester, M1 3WD
WARD:	Piccadilly
HEARING DATE:	29/07/2019

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/172129 | Form Reference number ASB/3223737

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

Manchester

National Insurance Number

[REDACTED]

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

[REDACTED]

Telephone

[REDACTED]

Evening telephone

n/a

Mobile phone

n/a

Fax number

n/a

Email address

Address

ON Bar 46 Canal St Manchester M1 3WD

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)

Latitude 53.476533

Longitude -2.2375747

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.

Stage and bar servery

Please describe the nature of the premises

On street stage and bar servery

Please describe the nature of the event

Manchester Pride

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.

23rd to 26th Aug 2019

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

13:00 - 22:00

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).

400

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

Both

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

8561

Date of Issue

Sept 2010

Date of Expiry

Sept 2016

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?

Yes

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

2

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

Anthony D Cooper

Capacity in which you are making this application

General Manager

Additional information

I understand

Yes

These are the files included with this application :-

Acknowledgement

I acknowledge receipt of this temporary event notice

Signature:



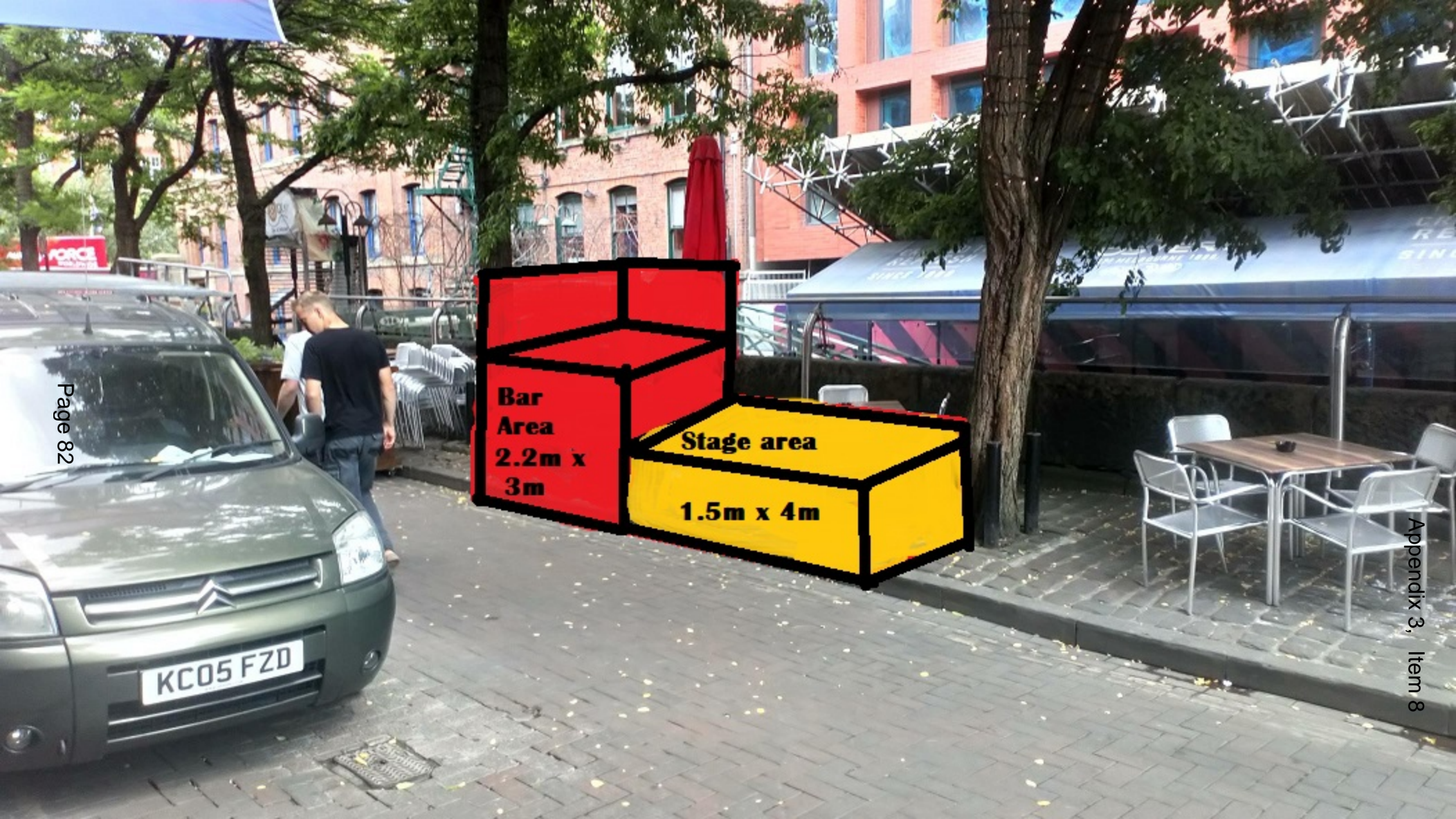
Jean Clarke

On behalf of the Licensing Authority

Date:

18.7.19





**Bar
Area
2.2m x
3m**

**Stage area
1.5m x 4m**





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

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GREATER MANCHESTER POLICE



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

To: [REDACTED]

18th July 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.

PREMISES NAME:	Land by ON Bar
ADDRESS:	46 Canal Street Manchester M1 3WD
DATE OF EVENT:	23/08/19 – 26/08/19
TIME OF EVENT:	1300 – 2200 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. The vast majority of 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.

GMP are also concerned about the hours the external bar will remain open until, as 2200 hrs is far too late for a bar which we believe will cause issues.

As such we ask that this TEN application is refused.

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

Date/Time 18th July 2019 1005 hrs

.....



**MANCHESTER
CITY COUNCIL**

Licensing & Out of Hours Compliance Team - Representation

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

Premise Details

Application Ref No	234767
Name of Premises	On Bar
Address	42 Canal Street, Manchester.

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 risk that the granting of this temporary event could likely involve.

The premises is on Canal Street within the area of the Village that will be enclosed for Pride 2019, however, open to the general public.

The application is for the supply of alcohol and regulated entertainment, directly opposite the premises during Manchester Pride. The premises propose to place a bar and stage on the cobbled area, accessible to passing customers and persons taking advantage of the on-street entertainment. (See Image 1).

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 concerns around the prevention of harm to children.

Historically this area of Canal Street over Pride becomes very congested.

This congestion will be further exasperated by the addition of an external bar and stage directly next to the security entrance and exit and the likely queues that are associated with an external bar.

The application also does not satisfy steps that will be taken to prevent proxy sales, and stated the bar will operate for 3 hours before SIA are on site. We would also expect to see a personal licence holder responsible for the external space at all times as well as an explanation on how security personnel will manage the area and how the queueing system will operate.

The Temporary Event application is unclear on how people will be moved on if the area becomes overcrowded or where the premises will include as their proposed responsibility.

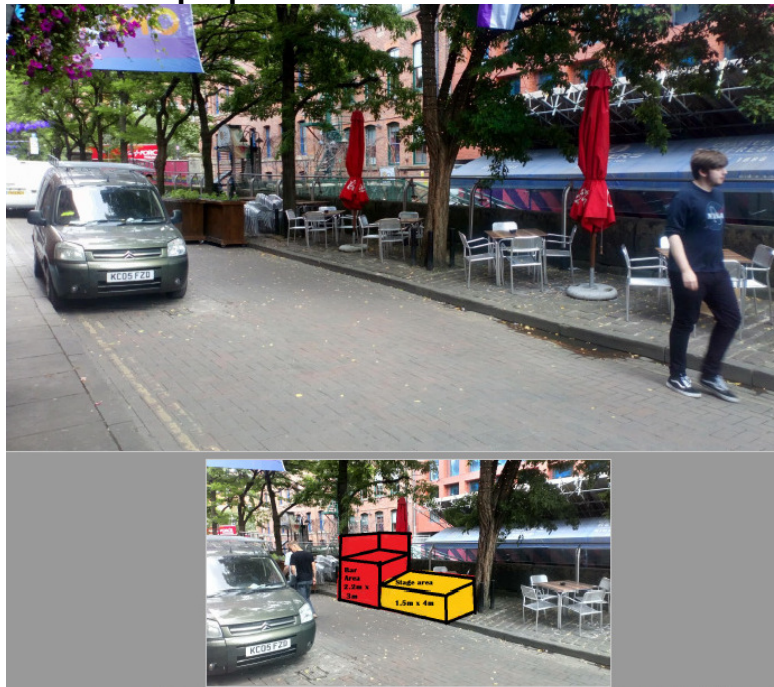
A significant queue may also put additional pressure on the bar staff to consider speed a priority, rather than consistent and satisfactory I.D checks, undermining the protection of children from harm objective.

This temporary event will likely 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 licensing objectives-

MS1, MS7, MS9 and MS12.

Image 1 – Location of proposed bar.



Recommendation: Reject T.E.N