



Licensing Sub Committee Hearing Panel

Date: Monday, 16 March 2020

Time: 10.00 am

Venue: Council Antechamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Access to the Council Antechamber

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

Councillors – Andrews, Lynch and Hassan

Agenda

1. Urgent Business

To consider any items which the Chair has agreed to have submitted as urgent.

2. Appeals

To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.

3. Interests

To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.

4. Premises Licence Variation - Panama Hatty's Restaurant & Bar, 43a Brown Street, Manchester, M2 2JJ - determination

5 - 6

The determination papers are enclosed.

5. Premises Licence Variation - Eva, 27 Sackville Street, Manchester, M1 3LZ

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The report of the Director of Planning, Building Control and Licensing is enclosed.

Information about the Committee

The Licensing Sub-Committee Hearing Panel fulfills the functions of the Licensing Authority in relation to the licensing of premises.

A procedure has been agreed which governs how the Panel will consider such applications.

Decisions made by the Panel will be under delegated authority and will not require to be referred to the Council for approval. Meetings are controlled by the Chair, who is responsible for seeing that the business on the agenda is dealt with properly.

Copies of the agenda are published on the Council's website. Some additional copies are available at the meeting from the Governance Support Officer.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

Smoking is not allowed in Council buildings.

Joanne Roney OBE
Chief Executive
Level 3, Town Hall Extension,
Albert Square,
Manchester, M60 2LA

Further Information

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

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Email: i.hintonsmith@manchester.gov.uk

This agenda was issued on **Friday, 6 March 2020** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

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MANCHESTER
CITY COUNCIL

Licensing Act 2003 (Hearings) Regulations 2005

Reference: 243400
Name: Panama Hattys Restaurant & Bar
Address: 43a Brown Street, Manchester, M2 2JJ
Ward: Deansgate
Application Type: Premises Licence variation
Name of Applicant: Mills Hill Developments Limited
Date of application: 24/01/2020

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

Proposed licensable activities and opening hours to be granted
<p>Sale of alcohol - Mon to Sunday 11am to 2am</p> <p>Late night refreshment - Mon to Sunday 11pm to 2am</p> <p>Live music - Mon to Sunday 11am to 2am</p> <p>Opening hours - Mon to Sunday 11am to 2:30am</p> <p>Non Standard timings:-</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>An additional hour on the day British Summer Time begins to disapply its effect.</p>

Representations received	
Greater Manchester Police	Due to the sale of alcohol hours of 4am being applied for and 4:30am closing. The grounds for objection are crime and disorder, public nuisance and public safety. Further steps would be needed to promote the Licensing Objectives. If the licence were to be granted the above amended hours and the below conditions should be added to the premises licence.

Agreements between parties
<p>Greater Manchester Police:</p> <p>The requirement for doorstaff shall be determined in accordance with a risk assessment carried out by the DPS. When employed doorstaff shall wear hi-vis armbands.</p> <p>From 2100 hours each day the NiteNet radio system shall be operated at the premises.</p> <p>When employed at least one member of door staff situated at the entrance to the premises shall wear and use a body cam to capture incidents of violence and/or anti-social behaviour and all ejections. The footage shall be able to be downloaded and stored for 28 days and made available to Police and council officers on request</p>

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
- Original application form
- Representations made against application and respective agreements

**Manchester City Council
Report for Resolution**

Report to: Licensing Subcommittee Hearing Panel – 16 March 2020

Subject: Eva, 27 Sackville Street, Manchester, M1 3LZ - App ref:
Premises Licence variation 243429

Report of: Director of Planning, Building Control & Licensing

Summary

Application for the variation of a premises licence which has attracted objections.

Recommendations

That the Committee determine the application.

Wards 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 Policy and implementation 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: Louise Dormer
Position: Technical Licensing Officer
Telephone: 0161 234 1460
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
- Any further documentary submissions by any party to the hearing

1. **Introduction**

- 1.1 On 28/01/2020, an application for the variation of an existing Premises Licence under s34 of the Licensing Act 2003 was made in respect of Eva, 27 Sackville Street, Manchester, M1 3LZ in the Piccadilly ward of Manchester. A location map of the premises is attached at **Appendix 1**.
- 1.2 A 28-day public consultation exercise was undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises, a notice published in a newspaper or similar circulating in the local area, and details of the application published on the Council's website.
- 1.3 Representations may be made for or against an application during the consultation period. To be 'relevant' and, therefore, able to be taken into account in determining the application, they must be about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Where representations are made by persons who are not a responsible authority, they must not be frivolous or vexatious.
- 1.4 Relevant representations have been received in respect of this application and so it must be determined by a Licensing Hearing Panel in accordance with the Council's Constitution.

2. **Current Licence**

- 2.1 The premises licence holder is G.S. Coldstorage & Warehousing Limited and a copy of the current licence is attached at **Appendix 2**.

3. **The Application**

- 3.1 A copy of the application is attached at **Appendix 3**.
- 3.2 The variation is to

Application Type: Premises Licence variation

Reference: 243429/LD2

Premises: Eva, 27 Sackville Street, Manchester, M1 3LZ

Applicant: G.S. Coldstorage & Warehousing Limited

Description of proposed variation as given by the applicant:

To extend licensable activities for the sale of alcohol, late night refreshment and regulated entertainment Sunday to Thursday to 05:00. All other conditions, seasonal variations and timings remain the same.

Proposed hours and licensable activities:Provision of regulated entertainment (live music, recorded music):

Current hours: Sun to Thurs 11am to 3am and Fri to Sat 11am to 6am

Proposed hours: Sun to Thurs 11am to 5am, Fri to Sat 11am to 6am

Provision of late night refreshment:

Current hours: Sun to Thurs 11pm to 3am and Fri to Sat 11pm to 5am

Proposed hours: Mon to Sun 11pm to 5am

Supply of alcohol for consumption both on and off the premises:

Current hours: Sun to Thurs 11am to 3am and Fri to Sat 11am to 6am

Proposed hours: Sun to Thurs 11am to 5am, Fri to Sat 11am to 6am

Opening hours:

Current hours: Sun to Thurs 11am to 4am and Fri to Sat 11am to 6:30am

Proposed hours: Sun to Thurs 11am to 5:30am, Fri to Sat 11am to 6:30am

Steps to promote licensing objectives as given by the applicant

Nothing in addition to existing conditions

- 3.2.1 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 application.

- 3.2.2 Any further details provided relating to any of the individual licensable activities are specified on the application form at **Appendix 3**.

3.3 Activities unsuitable for children

- 3.3.1 The applicant 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.

3.4 Steps to promote the licensing objectives

- 3.4.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule.
- 3.4.2 These steps must be translated into conditions by the licensing authority to be included in any granted premises licence, unless the conditions are modified by the Panel following consideration of relevant representations. These conditions are set out in the Schedule of Conditions at **Appendix 5**.

4. Relevant Representations

- 4.1 A total of 5 relevant representations were received in respect of the application (**Appendix 4**). The personal details of all members of the public

have been redacted. Original copies of these representation will be available to the Committee at the hearing.

Responsible Authorities:

- Greater Manchester Police;
- MCC Licensing and Out of Hours Compliance Team;

Other Persons:

- Residents x 3

4.2 Summary of the representations:

Party	Grounds of representation	Recommends
GMP	Based on the grounds of Prevention of Crime & Disorder, Prevention of Public Nuisance and Public Safety – GMP have recommended that an existing condition be replaced with 2 more robust conditions in relation to SIA doorstaff.	Grant with conditions
Licensing and Out of Hours Compliance	Based around all 4 of the licensing objectives and the location below residential properties. LOOH state that they have received numerous noise complaints about the premises and feel that the hours applied for are excessive and would have a detrimental effect on those living above.	Refuse
Residents (x3)	Based around Public Nuisance, all of the residents have expressed concerns over an extension of hours to 5am and the likely noise associated with this and disturbed sleep.	Refuse

4.3 Any conditions proposed by objectors are set out in the Schedule of Conditions at **Appendix 5**.

4.4 Agreements on conditions have been reached with GMP.

5. Key Policies and Considerations

5.1 Legal Considerations

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

5.2 **New Information**

- 5.2.1 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.

5.3 **Hearsay Evidence**

- 5.3.1 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.

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

- 5.4.1 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.
- 5.4.2 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.
- 5.4.3 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.

5.5 **Manchester Statement of Licensing Policy**

- 5.5.1 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.
- 5.5.2 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.

- 5.5.3 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.
- 5.5.4 Relevant to this application and the grounds of the representations made, the Panel are recommended to have regard to the following sections of the Policy:

Section 6: What we aim to encourage

This section identifies certain types of venues and initiatives the licensing authority aims to encourage in order to promote an inclusive evening and night-time economy not simply focused on the consumption of alcohol. We aim to encourage:

- Premises that will extend the diversity of entertainment and attract a wider range of participants
- Live music, especially original material, which will provide a range of live performances and styles of music, provided that such entertainment does not undermine the licensing objectives
- National cultural institutions, global sports events and cultural festivals
- Non-drink-led premises, including restaurants, cafes, theatres and cinemas
- Communication and integration with local residents and businesses through licensees consulting with those in the local area prior to an application
- Participation in Pubwatches, off licence forums and other crime-reduction partnerships
- Engagement with the NITENET radio scheme and DISC secure information sharing platform by city centre venues through the Cityco Manchester Business Crime Reduction Partnership
- Designing out crime in the layout of the premises

Section 7: Local factors

This section sets out key issues that applicants are expected to take into account relevant to the individual characteristics of the premises when preparing their operating schedule and address any local factors relevant to their premises.

Having regard to the grounds of the representations made, the Panel are recommended to have regard to the following Factors:

- Identified risk factors specific to the licensed premises
- Evidence of pre-existing problems in the area
- Consistency with relevant Council strategies
- The proximity of the premises to local residents and other local businesses, particularly in relation to the potential for nuisance

Section 8: Manchester's standards to promote the licensing objectives

This section identifies the standards that the licensing authority expects of licensed premises in Manchester. It is recognised that not all standards will be appropriate to apply in every situation to every premises, and applicants are not obliged to include all standards in their operating schedule. The degree to which standards would be appropriate is expected to be proportionate to the risk posed against the promotion of the licensing objectives having regard to the individual circumstances of the premises. The standards are not exhaustive and the licensing authority will have regard to any relevant issues raised in any representation that may fall outside them.

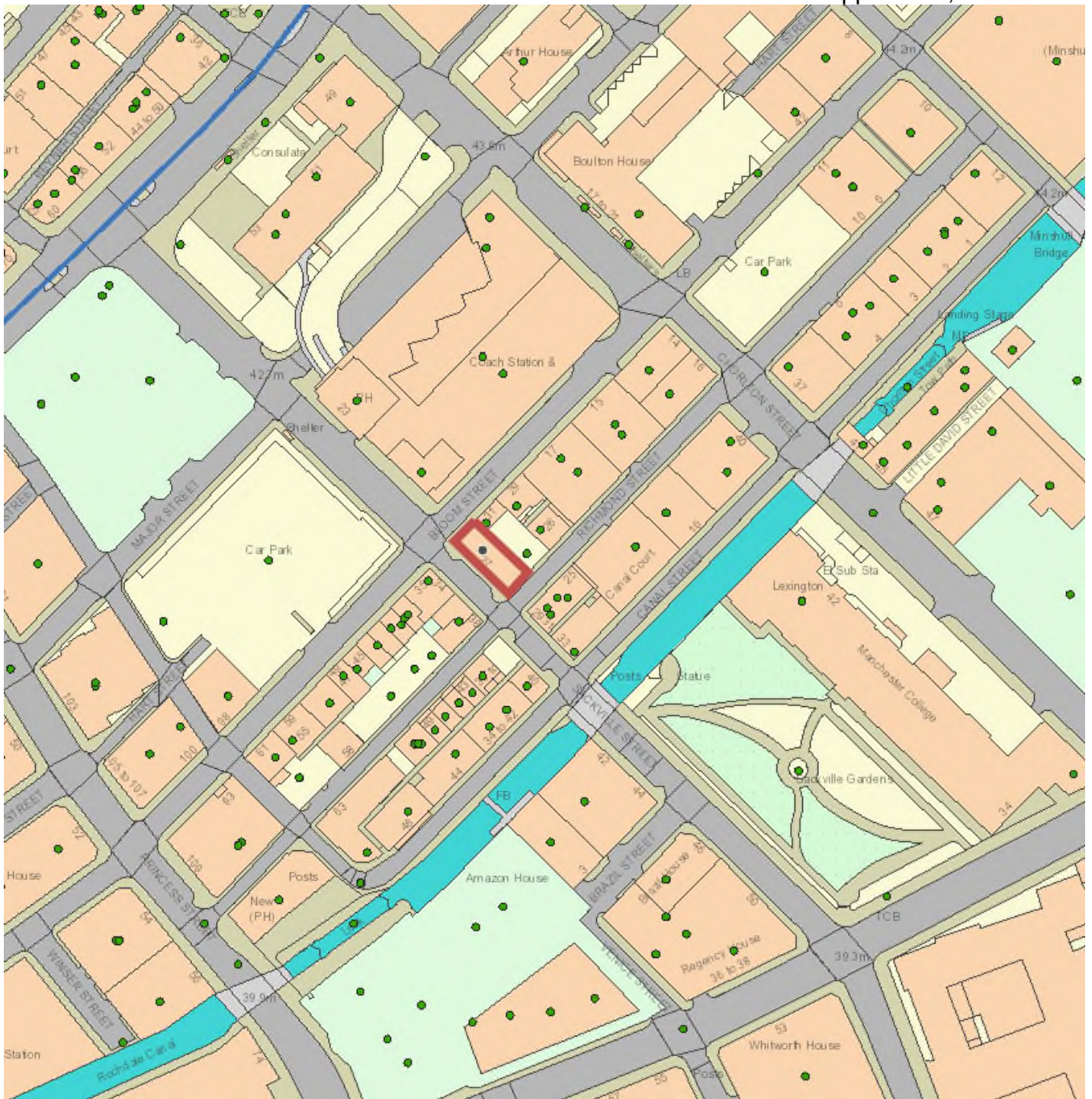
MS1	Implement effective security measures at the premises
MS2	Effective general management of the premises
MS3	Responsible promotion and sale of alcohol
MS7	Maintain a safe capacity
MS8	Prevent noise nuisance from the premises

6. Conclusion

- 6.1 A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 6.2 In considering the matter, the Panel should take into account any representations or objections that have been received from responsible authorities or other persons, 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.
- 6.3 The Panel must take such of the steps set out below that it considers appropriate for the promotion of the licensing objectives:
- a) To grant the licence subject to the conditions consistent with the operating schedule accompanying the application, which the Panel may modify to such extent as they consider appropriate;
 - b) To reject the whole or part of the application

- 6.4 The conditions consistent with the operating schedule may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 6.5 However, conditions should not be imposed on a licence which are unrelated to the variation sought.
- 6.6 All licensing determinations should be considered on the individual merits of the application.
- 6.7 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.
- 6.8 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 6.9 **The Panel is asked to determine the application.**

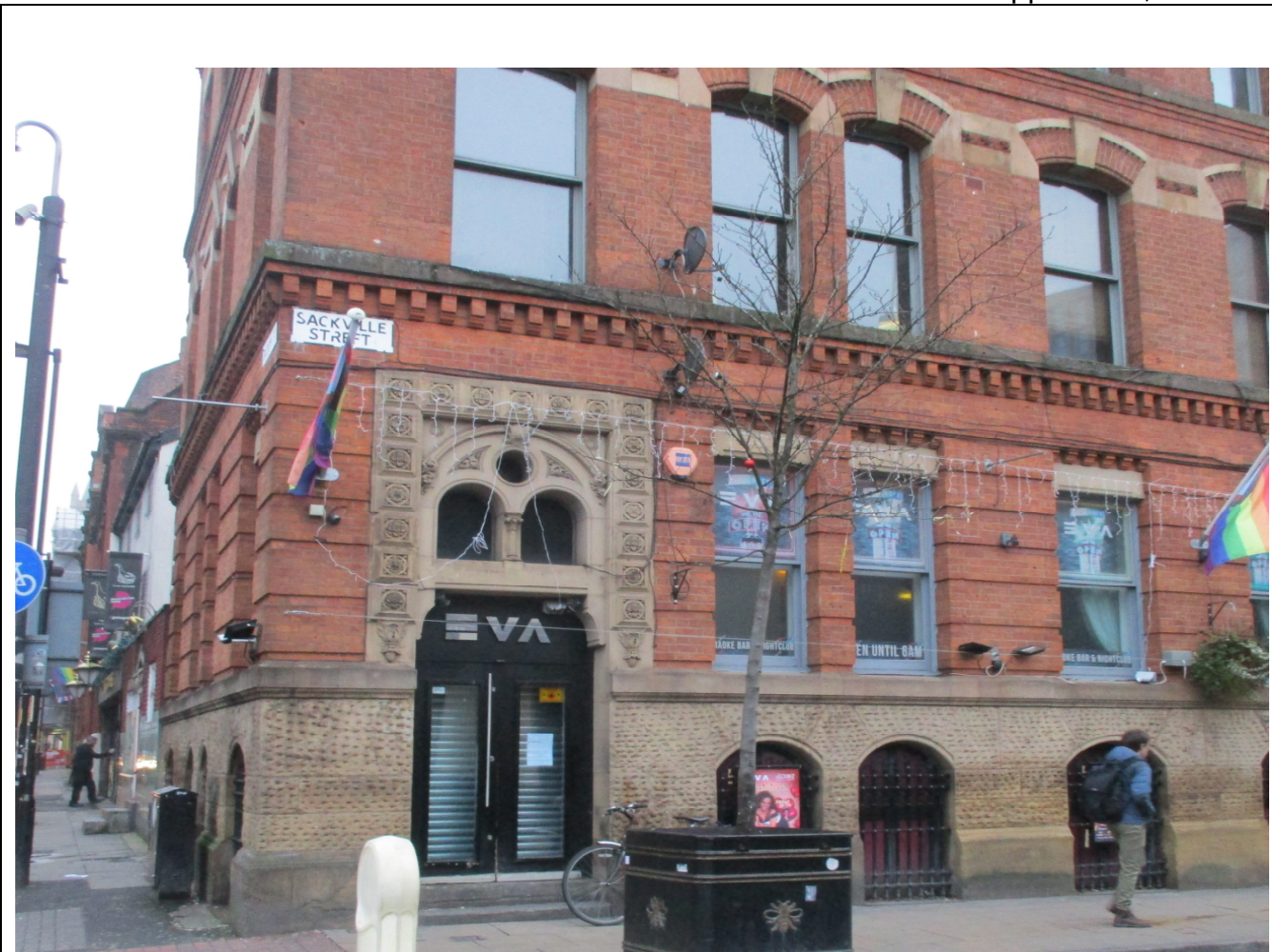
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Eva
27 Sackville Street, Manchester, M1 3LZ

Premises Licensing
Manchester City Council

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PREMISE NAME: Eva

PREMISE ADDRESS: 27 Sackville Street, Manchester, M1 3LZ

WARD: Piccadilly

HEARING DATE: 16/03/2020



MANCHESTER CITY COUNCIL

LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	049393
Granted	19/09/2005
Latest version	Variation 205557 Granted 06/02/2018

Part 1 - Premises details

Name and address of premises
Eva 27 Sackville Street, Manchester, M1 3LZ
Telephone number
0161 278 8882

Licensable activities authorised by the licence

1. The sale by retail of alcohol*.
2. The provision of regulated entertainment, limited to:
 - a. Performance of plays;
 - b. Exhibition of films;
 - c. Indoor sporting events;
 - d. Live music;
 - e. Recorded music;
 - f. Performances of dance;
3. The provision of late night refreshment.

* All references in this licence to "sale of alcohol" are to sale by retail.

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol

Standard timings

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0300	0300	0300	0300	0600	0600	0300

The sale of alcohol is licensed for consumption both on and off the premises.

Seasonal variations and Non standard Timings:

On any day preceding a Public Holiday 1100 to 0600

New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.

On the day British Summer Time commences: One additional hour following the terminal hour.

Performance of plays; Exhibition of films; Indoor sporting events; Live music; Recorded music; Performances of dance							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0300	0300	0300	0300	0600	0600	0300
Licensed to take place indoors only.							
Seasonal variations and Non standard Timings: On any day preceding a Public Holiday 1100 to 0600 <u>New Year:</u> From the start time on New Year's Eve to the terminal hour for New Year's Day <u>On the day British Summer Time commences:</u> one additional hour following 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	0300	0300	0300	0300	0500	0500	0300
Licensed to take place indoors only.							
Seasonal variations and Non standard Timings: On any day preceding a Public Holiday 2300 to 0600 <u>New Year:</u> From the start time on New Year's Eve to the terminal hour for New Year's Day <u>On the day British Summer Time commences:</u> one additional hour following the terminal hour.							

Hours premises are open to the public							
Standard timings							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1100	1100	1100	1100	1100	1100	1100
Finish	0400	0400	0400	0400	0630	0630	0400
Seasonal variations and Non standard Timings: On any day preceding a Public Holiday 1100 to 0630 <u>New Year:</u> From the start time on New Year's Eve to the terminal hour for New Year's Day <u>On the day British Summer Time commences:</u> one additional hour following the terminal hour.							

Part 2

Details of premises licence holder	
Name:	G.S. Coldstorage & Warehousing Limited
Address:	108 Admin Block - Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XP
Registered number:	2878524

Details of designated premises supervisor where the premises licence authorises for the supply of alcohol	
Name:	John Alan Harvey
Address:	[REDACTED]
Personal Licence number:	PA1377
Issuing Authority:	Tameside Metropolitan Borough 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. The above time restrictions in relation to the hours for the sale of alcohol do not prohibit:
 - a) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
 - b) The sale of alcohol to a trader or club for the purposes of the trade or club;
 - c) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
 - d) The taking of alcohol from the premises by a person residing there; or
 - e) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
2. The Licensee shall maintain good order in the premises.
3. The Licence holder shall ensure that noise shall not emanate from the Licensed premises such as to cause persons in the neighbourhood to be unreasonably disturbed. Any form of amplification shall be so controlled by the licensee so as to prevent such a disturbance.
4. The Licence holder shall at all times ensure that persons on or 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.
5. The licence holder shall take all reasonable steps to ensure that persons leaving licensed premises and using adjacent car parks and highways do not conduct themselves in a manner so as to cause annoyance to residents and/or persons passing by.
6. No glassware in the form of open bottles or glassware must be taken in or off the premises.
7. Licensees, when doorstaff are in attendance, must ensure that all glassware is removed from patrons entering or leaving the licensed area and subsequently safely disposed of.
8. Licensees, when doorstaff are not in attendance, must ensure that secure receptacles are provided at all entrances and exits for glassware to be deposited by patrons entering or leaving the licensed area.

9. Licensees must display prominent notices advising patrons of this condition.
10. Where the Licensee or his employer engages any persons at or about the entertainment premises in the capacity of security staff the Licensee shall maintain a log in a form approved by the Council, showing in respect of each period of duty of that person:
 - i. the name, date of birth and residential address of that person.
 - ii. the time at which he / she commenced that period of duty with a signed acknowledgement by that person.
 - iii. the time at which he / she finished the period of duty with a signed acknowledgement by that person.
 - iv. any times during the period of duty when he / she was not on duty.
 - v. if that person is not an employee of the Licensee or his / her employer, the name of the person by whom that security person is employed or through whom the services of that person were engaged.
11. The log shall be so kept that it can be readily inspected at any reasonable time by an authorised Officer of the Council or a Police Officer and, once a log has been completed, it must be retained on the premises for at least 12 months.
12. A Licensee, when requested, shall identify by name those persons employed by him to a Police Officer or other authorised Officer.
13. The Licensee shall ensure all security staff are given adequate oral and written instruction.
14. The Nitenet radio link system and internal radio system shall be maintained and operated after 2300 hours.
15. Hand counters shall be used to monitor the number of patrons present on the premises.
16. Notices shall be displayed near all exits from the premises asking customers to leave quietly.
17. All staff shall receive adequate and suitable training about leaving the premises after close of business with respect for local residents and will dispose of waste quietly.
18. No waste collections shall be made at the premises between the hours of 2400 hours and 0730 hours.
19. A policy shall be implemented to manage customer departure throughout the evening. This shall include a period of 'wind down' music 30 minutes before the premises closes.
20. No sale or supply of alcohol shall be made to a person who appears to be under the age of 21, unless before a sale or supply is made the purchaser produces to the seller valid identification (i.e. passport, driving licence or proof of age card) and that purchaser is over the age of 18.
21. No persons under the age of 18 shall be permitted entry to the premises at any time the premises are open to the public.

Annex 3 – Conditions attached after hearing by the licensing authority

1. No externally mounted speakers.
2. All external doors and windows should be kept closed after 2300 except for emergency (fire doors) and access/egress (non fire doors)
3. A sound limiting device should be installed, set and maintained at a level agreed by the Pollution Control section. All visiting DJ's should pass through this limiter.
4. Refuse, including all glassware shall not be collected from outside the premises or disposed of from the premises into outside waste receptacles between the hours of 2400 and 0730.
5. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it

can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

6. Doorstaff shall be employed at the premises at a ratio of 1:75 on a Friday and Saturday, any day proceeding a bank holiday and for the duration of the entire Pride event from 2100 hours until 30 minutes after closing to assist with the orderly dispersal of customers. Door staff shall wear high visibility jackets.
7. The premises shall adopt and adhere to a dispersal policy which shall be agreed with Greater Manchester Police and a copy of this policy shall be kept at the premises. A copy shall also be given to Greater Manchester Police.
8. The premises shall adopt and adhere to a smoking policy which shall be agreed with Greater Manchester Police and a copy of this policy shall be kept at the premises. A copy shall also be given to Greater Manchester Police.
9. The sound system must be turned off on the first floor and shall only be operated in the basement from 0300 onwards. The first floor may still be open to members of the public.
10. Drinks can be served to customers in glass containers throughout the venue before midnight.
11. There must be no glass containers in areas which customers have access to after midnight.
12. During Pride weekend, no drinks will be served in glass containers at any time.

Annex 4 – Plans

See attached

This page is intentionally left blank

**Send completed application form to:**

Premises Licensing
 Manchester City Council
 Level 2 Town Hall Extension
 Albert Square
 PO Box 532, M60 2LA

Application to vary a premises licence under the Licensing Act 2003**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We G.S. COLDSTORAGE & WAREHOUSING LIMITED

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 049393

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
 EVA
 27 SACKVILLE STREET

Post town	MANCHESTER	Postcode	M1 3LZ
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Telephone number at premises (if any)	██████████
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Non-domestic rateable value of premises	£ 84,000
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Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes☐
No

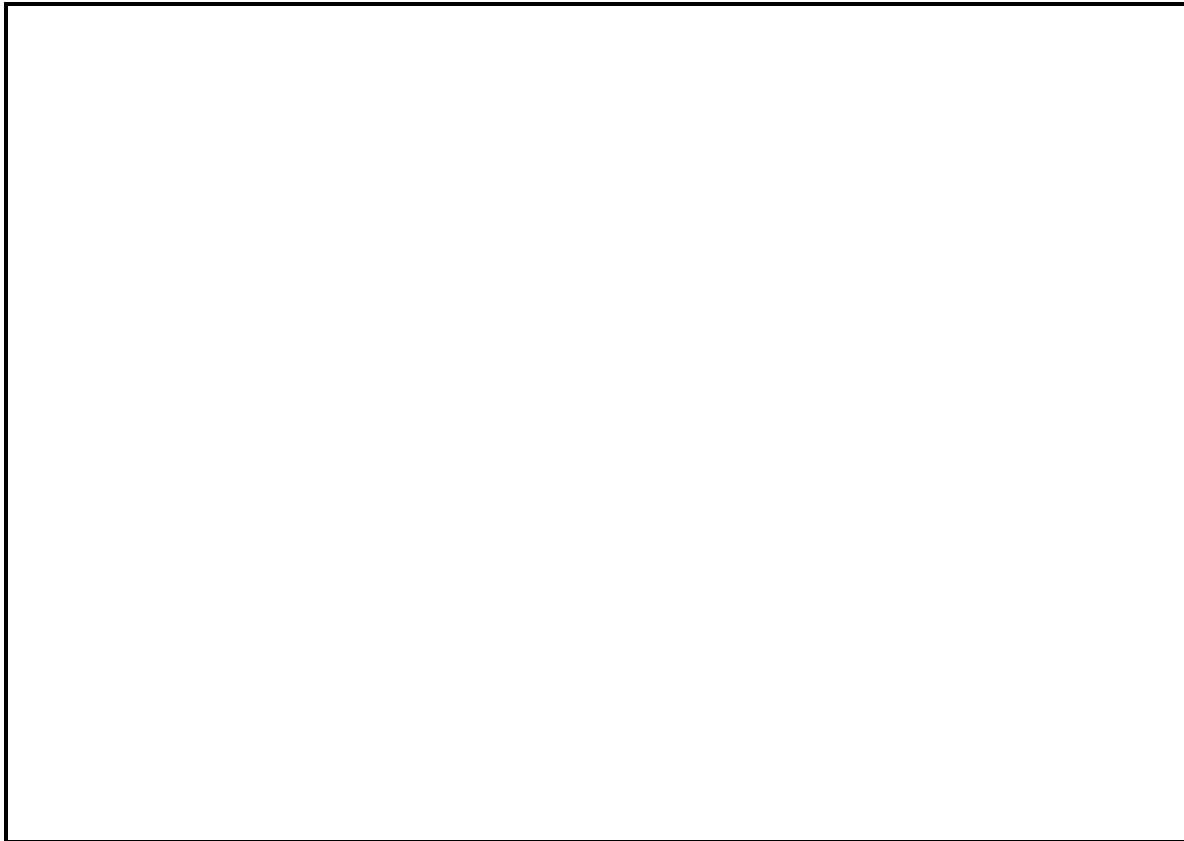
If not, from what date do you want the variation to take effect?

DD MM YYYY

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Please describe briefly the nature of the proposed variation (Please see guidance note 1)

To extend licensable activities for the sale of alcohol, refreshment and entertainment Sunday to Thursday to 05:00
all other conditions, seasonal variations and timings remain the same.



If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

- a) plays (if ticking yes, fill in box A) ☐
- b) films (if ticking yes, fill in box B) ☐
- c) indoor sporting events (if ticking yes, fill in box C) ☐
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ☐
- e) live music (if ticking yes, fill in box E) ☒
- f) recorded music (if ticking yes, fill in box F) ☒
- g) performances of dance (if ticking yes, fill in box G) ☐
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) ☐

Provision of late night refreshment (if ticking yes, fill in box I) ☒

Sale by retail of alcohol (if ticking yes, fill in box J) ☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					

Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Sat			
Sun			

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed					

			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Sat			
Sun			

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	1100	0500	<u>Please give further details here</u> (please read guidance note 3) mostly but not exclusively amplified music played by Djs, live singers, performers, cabaret, drag and comedy		
Tue	1100	0500			
Wed	1100	0500	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) To remain the same as existing license		
Thur	1100	0500			
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun	1100	0500			

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F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	1100	0500	<u>Please give further details here</u> (please read guidance note 3) mostly but not exclusively amplified music played by Djs, live singers, performers, cabaret, drag and comedy		
Tue	1100	0500			
Wed	1100	0500	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4) To remain the same as current license		
Thur	1100	0500			
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun	1100	0500			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		

Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)
Wed			
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Sat			
Sun			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					

Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Sun			

I

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	1100	0500	<u>Please give further details here</u> (please read guidance note 3) hot drinks		
Tue	1100	0500			
Wed	1100	0500	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) to remain the same as current license		
Thur	1100	0500			
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun	1100	0500			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	1100	0500	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) To remain the same as current license		
Tue	1100	0500			
Wed	1100	0500			
Thur	1100	0500	<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun	1100	0500			

K

Please highlight 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 (please read guidance note 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4) to remain the same as the current license
Day	Start	Finish	
Mon	1100	0530	
Tue	1100	0530	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Wed	1100	0530	
Thur	1100	0530	
Fri			
Sat			
Sun	1100	0530	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence ☒
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

Nothing beyond existing conditions which are in place and adhered to by the venue

b) The prevention of crime and disorder**c) Public safety****d) The prevention of public nuisance**

e) The protection of children from harm

--

Checklist:




Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	 
Date	24/01/2020
Capacity	

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

From: <Alan.Isherwood@gmp.police.uk>
Date: Fri, 21 Feb 2020 at 22:38
Subject: RE: Representation for Eva 243429LD
To: [REDACTED], <premises.licensing@manchester.gov.uk>
Cc: [REDACTED], [REDACTED]

Dear All,

In view of the email from the applicant, in which all the conditions requested by GMP are agreed to, we are happy for the variation to be granted with those conditions attached.

Please can this application now be shown as agreed between the applicant and GMP.

Kind Regards

Alan

PC 17659 Alan Isherwood
Divisional Licensing Officer
Greater Manchester Police
City of Manchester Division
1st Floor
Manchester Town Hall Extension
Lloyd Street
Manchester
M2 5DB

alan.isherwood@gmp.police.uk

0161 856 6017

Follow us on Twitter: @gmpolice

NOT PROTECTIVELY MARKED

From: [REDACTED]
Sent: 20 February 2020 13:48
To: Premises Licensing; Alan Isherwood
Subject: Re: Representation for Eva 243429LD

We are happy to agree to the conditions of GmP

And would add that the venue currently operates with SIA doorstaff above current requirements of the license.

Regards

[REDACTED] EVA Manchester Bar & Club
EVA Manchester, 27 Sackville Street, Manchester, M1 3LZ
EMail- [REDACTED]

On 20 Feb 2020, at 08:01, Premises Licensing <premises.licensing@manchester.gov.uk> wrote:

Good Morning

We've received a further two representations (from GMP and Licensing & Out of Hours), please see attached.

Kind Regards

Louise Dormer

--

Premises Licensing
Growth and Development
Manchester City Council
Level 1 Town Hall Extension
Albert Square
PO Box 532
M60 2LA
Tel: 0161 234 5004 (call centre)
Email: premises.licensing@manchester.gov.uk
Web: www.manchester.gov.uk/licensing

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Please reply with history only and not to individual officers

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This footnote also confirms that this email message has been swept for the presence of computer viruses.

<243429 GMP.doc>

<243429 OOH.doc>

You can access many of our services online at www.gmp.police.uk.

For emergencies only call 999, or 101 if it's a less urgent matter.

You can also connect with us on:

- o Facebook: www.facebook.com/GtrManchesterPolice
- Twitter: www.twitter.com/gmpolice
- Instagram: www.instagram.com/gtrmanchesterpolic
- Flickr: www.flickr.com/gmpolice1
- YouTube: www.youtube.com/gmpolice
- Pinterest: www.pinterest.co.uk/gmpolice

To find out what is happening in your area, visit www.gmp.police.uk/a/your-area where you will be able to follow local social media accounts.

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Unless encrypted, internet email is not to be treated as a secure means of communication. Greater Manchester Police records and monitors all email activity and content and you are advised that any email you send may be subject to monitoring.

Thank you for your co-operation.

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Premises Licensing
Growth and Development
Manchester City Council
Level 1 Town Hall Extension
Albert Square
PO Box 532
M60 2LA
Tel: 0161 234 5004 (call centre)
Email: premises.licensing@manchester.gov.uk
Web: www.manchester.gov.uk/licensing

Tell us how we're doing with our [online feedback form](#)

Please reply with history only and not to individual officers

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GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	PC Alan Isherwood
Address including postcode	1 st Floor Manchester Town Hall Extension Lloyd Street Manchester
Contact Email Address	alan.isherwood@gmp.police.uk
Contact Telephone Number	0161 856 6017

About the Premises

Application Reference No.	LPV 243429
Name of the Premises	Eva
Address of the premises including postcode	27 Sackville Street, Manchester M1 3LZ

Your Representation

Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the licence variation on the licensing objectives on and in the vicinity of the premises in question.

Please accept this as formal notification of the Greater Manchester Police objection to the premises licence application in relation to the above premises on the grounds of the Prevention of Crime and Disorder, the Prevention of Public Nuisance and Public Safety.

The application is seeking to allow the premises to sell alcohol until 5am Sunday to Thursday with a closing time of 05.3030hrs and GMP believe that the applicant needs to offer further steps to demonstrate how the later hours will not undermine the licensing objectives.

Therefore if this variation was granted GMP would ask that the following door staff condition replaces the existing condition, which is attached to the premises licence, to decrease the likelihood of the Licensing Objectives being undermined.

SIA registered doorstaff shall be employed at the premises each day at a ratio of 1:75 from 2100 hours until 30 minutes after closing to assist with the orderly dispersal of customers. Door staff shall wear high visibility jackets.

At least one member of door staff situated at the entrance to the premises shall wear and use a body cam to capture incidents of violence and/or anti- social behavior and all ejections. The footage shall be able to be downloaded and stored for 28 days and made available to Police and council officers on request


**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 1220

Premise Details

Application Ref No	243429
Name of Premises	EVA
Address	27 Sackville Street, Manchester, M1 3LZ

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 (LOOH), have assessed the likely impact of granting the variation to the licence 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 objectives Prevention of crime and disorder, Public Safety, The Prevention of public Nuisance and the Protection of Children from harm.

The applicant have applied to extend the hours of opening by 1.5 hours Sunday to Thursday from 04:00 to 05:30. They have also applied to extend the licensable activities for 2 hours Sunday to Thursday from 03:00 to 05:00.

The premises currently has a late licence till 3 in the morning and has residential properties above it. LOOH have received numerous complaints in regards to noise nuisance from the premises, and currently have an open case. Officers have done observations and have observed some noise break out from the premises in complainants' property.

LOOH feel the hours applied for are excessive for weekdays nights when people would generally expect to get a good night sleep without the threat of being disturbed to be full rested for the working day ahead.

Extending these hours further would have a detrimental impact for those living above the premises, who already have to endure disturbance at noise sensitive times.

Local Factors

The statement of licensing policy looks at local factors **7.29** States that the Authority considers that later hours will typically be more sensitive and higher

risk of causing problems. **7.31** Recognises that in spite of the quality the operation of the licensee, the lateness of the terminal hour for the premises will often a contributory factor in the potential for disturbance. **7.32** States that the authority will be mindful of the density of residential use in proximity to the premises and the level of risk of nuisance arising. The authority expects that terminal hours will normally be earlier to promote the licensing objectives for licensed premises located in areas with a higher density of residential properties. The area is rapidly expanding and incorporating more mix use business and residential buildings.

Licensing and out of hours request committee refuse this application.

Recommendation:	Refuse Application
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[REDACTED]
Date: Sat, 8 Feb 2020 at 18:24
Subject: Contest to application for 27 Sackville street license extension.
To: premises.licensing@manchester.gov.uk
<premises.licensing@manchester.gov.uk>

Dear premises licensing authority

I am writing in relation to the application by G.S cold storage and warehousing ltd to extend the licensing of the bar at 27 Sackville street, Manchester, M13LZ from Sunday to Thursday until 5am

The bar is on the ground floor of a residential building. [REDACTED]
[REDACTED].

The building itself is an old grade 2 listed building and the sound insulation is very poor. When music is played in the bar the sound travels up and reverberates within the building very loudly and causes the walls and floor to vibrate. There have been a number of noise complaints to the council from several residents about the noise of music emanating from the bar below during the weekend. A number of renters have also previously left the building because of the weekend noise. Additionally when customers leave the bar they are often very drunk and shout/ fight in the street.

While I appreciate that this is a busy area and I want to be supportive to the culture of the gay village and in no way wish to hinder the profitability of the business I am genuinely very worried about the possibility that a licence might be granted to the bar to serve alcohol and play music until 5am through the working week. Myself and my partner both work full time and need to sleep during the night. Sleep is of course a basic physiological necessity, and lack of sleep is directly related to numerous health and psychological issues. Should this application be granted we may also find ourselves in a situation where we would not be able to sell or rent our home and be effectively trapped here with no reprieve from the noise.

I do feel that myself, partner and the other tenants should have a reasonable expectation to be able to sleep in our homes and respectfully ask that our concerns be taken into consideration when reviewing this application.

Thank you and kind regards.
[REDACTED]

--

Premises Licensing
Growth and Development
Manchester City Council
Level 1 Town Hall Extension
Albert Square
PO Box 532
M60 2LA
Tel: 0161 234 5004 (call centre)
Email: premises.licensing@manchester.gov.uk
Web: www.manchester.gov.uk/licensing

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[REDACTED]
Date: Sun, 9 Feb 2020 at 16:51
Subject: Contesting 27 Sackville Street License Extension
To: premises.licensing@manchester.gov.uk
<premises.licensing@manchester.gov.uk>

To who it may concern,

Hello, my name is [REDACTED] and [REDACTED] It has recently come to my attention that a bar that shares this premises, on the ground floor, have submitted an application to extend their late license and that this would allow them to play music through the week (Sunday to Thursday) until 5am.

While I am supportive of local business, and appreciate that this part of town is synonymous with party culture etc. I have to concede that this knowledge has caused me some alarm personally as I have a full time job and already sometimes find it difficult to get good quality sleep. I get that other bars in the direct vicinity may have late licenses already and that this potentially makes it more difficult the one downstairs to make as much money as them, but at the same time none of those other bars look to be sharing their buildings with residents. As ours is an old building also it has not been fitted with adequate sound insulation to protect against high noise levels.

When I moved in here 4+ years ago, I was aware and expected there to be noise but at that time there wasn't a bar situated in the ground floor premises.

Thanks

[REDACTED]

--
Premises Licensing
Growth and Development
Manchester City Council
Level 1 Town Hall Extension
Albert Square
PO Box 532
M60 2LA
Tel: 0161 234 5004 (call centre)
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Licensing application for 27 Sackville street, M1 3LZ

Inbox

x

[REDACTED] >

10 Feb 2020, 18:44 (14 hours ago)

to me

Dear Madam or Sir,

I am writing to make a representation in relation to the application by G S Coldstorage & Warehousing Limited to vary a premises license at 27 Sackville street, M1 3LZ.

The proposed variation is to all license activities Sunday to Thursday to 5am.

[REDACTED], I want to register my objection to the proposed extension of the premises opening hours.

My primary area of concern regards the increased noise and disturbance granting this application would cause to residents living in the building.

There is already a noise nuisance from the premises whilst it is open. The speaker system in particular is very loud.

Music being played inside the premises can be heard [REDACTED] 27 Sackville street is an old building and was not designed to contain modern noise levels so the sound invariably escapes.

There is also noise and sometimes aggravation created by clubbers coming and going from the premises, particularly in the early hours. I am woken up often by people screaming at each other in the street.

This summer I often kept my windows closed and turned my TV up to full in order to be able to hear it. Given the extreme heatwave the city experienced this did become very difficult.

I believe from speaking to my neighbours and spending time in another flat that the noise is even more pronounced on the Bloom street side of the building.

If EVA was allowed to stay open any longer this would go on until an unacceptably late time for residents. The noise interrupts our sleep and is problematic - especially when we have to get up early to go to work.

We love the Gay Village and its nightlife scene. But considering that 27 sackville street also houses eight flats, it seems right that there be a balance with the council taking consideration of residents' needs as well as those of the business occupying the premises below when reviewing the application.

Yours Sincerely,

[REDACTED]

[REDACTED]

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Schedule of Licence Conditions

Conditions consistent with the operating schedule	Agreed	Proposed by
Nothing in addition to existing conditions	N/A	Applicant
Conditions proposed by objectors	Agreed	Proposed by
1. SIA registered doorstaff shall be employed at the premises each day at a ratio of 1:75 from 2100 hours until 30 minutes after closing to assist with the orderly dispersal of customers. Door staff shall wear high visibility jackets. 2. At least one member of door staff situated at the entrance to the premises shall wear and use a body cam to capture incidents of violence and/or anti- social behavior and all ejections. The footage shall be able to be downloaded and stored for 28 days and made available to Police and council officers on request	Yes (all)	(eg) GMP
None	N/A	Licensing and Out of Hours
None	N/A	Residents

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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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